



*The papers of Lewis Morris,
Governor of the Province of New ...*

Lewis Morris, William Adee Whitehead

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*Engraved by Charles Evert from an Original sketch by John Watson
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Lewis Morris



THE PAPER

LEWIS M. CLARK

GOVERNOR OF THE

PROVINCE OF NEW JERSEY.

FROM 1776 TO 1790.

REVISED BY THE

NEW JERSEY HISTORICAL SOCIETY.

GEORGE B. FULHAM, 175 BROADWAY.

1851.



THE PAPERS
OF
LEWIS MORRIS,
GOVERNOR OF THE
PROVINCE OF NEW JERSEY,
FROM 1738 TO 1746.

PUBLISHED BY THE
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WILLIAM A. WHITEHEAD,

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P R E F A C E .



WITH the view of facilitating researches among the materials for authentic history in its possession—a duty which necessarily and properly devolves upon every institution of the kind—the New Jersey Historical Society presents this volume to its members, and others interested in the history of the State. The papers which form its basis were received from Lieutenant Charles S. Boggs, U. S. N., a descendant of Governor Morris; and the Rev. Robert Davidson, D. D., of New Brunswick; the latter presenting a letter-book containing the Governor's copies of his despatches for several years, written with his own hand, which Dr. Davidson was so fortunate as to rescue from the destruction which is too apt to befall depositories of old manuscripts, when in charge of those who are either ignorant of their character and value, or indifferent to the matters to which they refer.

These papers, with two or three exceptions, have never been before in print, and in order that their distinctive character, as original materials, might not

be in the least impaired, only such extraneous matter has been admitted into the volume as was thought necessary to explain or elucidate the topics introduced; avoiding as much as possible all discussion as to the correctness of the views of public policy presented, or the soundness of the arguments advanced: the Committee, upon whom its preparation has devolved, possessing no authority to compromit the Society by the expression of opinions.

The period to which the volume refers was characterized by a struggle between the legislative and executive powers seldom, if ever, equalled in the colonial annals of America. The surrender of the proprietary authority to the crown in 1702, was rendered necessary by the inefficiency of the government as administered by a constantly increasing number of proprietaries—by the opposition felt by a large portion of the people to the policy which the pecuniary interests of their rulers naturally led them to pursue—and by the conflicting and frequently recurring claims to the soil, the proper adjudication of which was of course interfered with by the union of the rights of property and of government in the same hands.

For thirty-six years succeeding the surrender, the chief authority was exercised by governors appointed by the crown, with reference more particularly to New-York; as the two provinces, although having separate legislatures, were placed under the same executive head. And although some advantages were thus secured, yet the people had frequent occasions

to regret their purchase at the expense of individual liberty, or general privileges; while, universally, they found the interests of the province to be regarded merely as of secondary consideration by governors, whose first thoughts were for the larger, more populous, and more influential province of New-York; within which they resided, excepting during their official visits to New Jersey. They were generally men who were more anxious to acquire riches than to earn an honorable fame; and their official lives were too often devoted to schemes of personal aggrandizement, or passed away in the indolent enjoyment of the stipends which personal popularity or the influence of friends enabled them to obtain from their respective Assemblies. The exceptions were few, and the experience of the people of New Jersey had been such as to lead them earnestly to desire a separate governor, who should reside among them, feel identified with their interests, appreciate their position, and understand their wants, even though heavier pecuniary burdens should be the consequence; for the species of vassalage in which they were held by their sister province could not be otherwise removed, and, with increasing population, that was becoming more and more irksome.

It was consequently deemed an event to be hailed with rejoicings when they received from the hands of the king a separate government, with one to administer it who had been more or less intimately connected with the province from his youth—a man of note,

who, on different occasions, had signalized himself as a friend to the people and the opponent of tyranny and extortion. But as, subsequently to 1702, evils arose to counterbalance the good which resulted from the change of government, so, with the appointment of Governor Morris in 1738, came the conviction that position would affect opinions, and that, even with an independent government, although administered by an honest governor—for there seems to be little or no impugning of his integrity, whatever may have been the change in his views relative to prerogatives—grievances might exist, to which, in the estimation of many, their non-resident governors and the inconveniences formerly deplored, were but minor trials. The following pages throw all the light upon this contest between the Governor and the Assembly that is necessary for a right conception of the grounds of difference, and clothe it with a greater interest than the scanty materials heretofore published could confer.

The portrait facing the title-page is from a sketch by John Watson, in the possession of one of the Committee, which bears the name of Mr. Morris in the artist's handwriting. It is presumed, however, to be a copy, as Watson is not known to have painted in America prior to 1715, at which time Mr. Morris must have been older than he is represented in the picture.

ADVERTISEMENT.

The preparation of the explanatory matter of the volume having been confided by the Committee to one of their number, he alone is responsible for the manner in which that service has been performed. Its execution would, doubtless, have proved more satisfactory to the reader, as well as to himself, had access been possible to the Minutes of the Provincial Council; but so long as the people of the State are content to have so important a part of its archives remain in the exclusive possession of a foreign government, the historian must claim some favor should his work be found imperfect. It is to be hoped, however, that public sentiment will induce the Legislature, before long, to adopt proper measures to obtain from England copies of all our missing records. To the Misses Rutherford his thanks are especially due, for the privilege so freely accorded to him of consulting their large and interesting collection of manuscripts; a favor which they only can properly estimate who, from similar undertakings, have learned the value of authentic original materials.

W. A. W.

Newark, February, 1852.

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INTRODUCTORY MEMOIR.

AMONG the adherents of Oliver Cromwell, who, by the restoration of Charles II. in 1660, were obliged to seek a refuge in foreign lands, was **RICHARD MORRIS**, the father of the subject of this memoir. He had held the commission of captain in a regiment commanded by an elder brother—**Lewis**—in the army of the Commonwealth, and having disguised himself under the profession of Quakerism first took up his residence in the island of Barbadoes, whence he removed to New-York, while yet that province was under the domination of the Dutch, and obtained a grant with manorial privileges, for a tract of land near Harlem containing more than three thousand acres. Upon this tract he settled, calling it after himself, *Morrisania*, by which name it is still known.*

Here in 1671 was **LEWIS MORRIS** born. When about six months old he had the misfortune to lose his mother, and soon after his father also, so that he was left an orphan among entire strangers while yet an infant.† The provincial government, exercising a pa-

* Sparks' Life of Gouv. Morris, p. 1.
Smith's N. Y. I. p. 179.

† Bolton's Westchester, II. pp. 286, 7.

rental care over him, appointed guardians to protect his interests; and he thus continued a ward of the State until after the temporary occupancy of the province by the Dutch in 1673.*

As early as August, 1670, an agreement had been entered into between Richard Morris and a brother, Lewis, then residing in Barbadoes, by which the latter stipulated to remove to America and establish himself at Morrisania; but for reasons not now known—probably the extent of his possessions in the West Indies—he did not reach New-York until after the peace of 1674 had restored the province to the English. On his arrival he assumed the guardianship of his nephew, and continued thereafter to perform towards him the duties of a parent; and at his death Lewis fell heir to his estate. He had early embraced the cause of the Commonwealth, and having signalized himself on several occasions, so won upon the regard of Cromwell as to be selected, in 1654, to proceed to the West Indies with an expedition intended to secure the mastery of those seas. While there he received a colonel's commission, and was second in command at the

* Smith's N. J. p. 430. Dunlap's N. Y. I. p. 272. Sparks, in his *Life of Gouv. Morris*, says the father died in 1673, when the son must have been three years old; but there is a letter preserved from Matthias Nicoll, the secretary of the province, addressed to his uncle Lewis in Barbadoes, informing him of the death of Richard Morris, and his wife, "of whom," he says, "there is remaining but one poor blossom, of whom yet there may be great hope with your kind friendship, for it is a lively, healthy child, and was well at Harlem, where it is at nurse, and I

went to see it yesterday." This letter is dated Oct. 29, 1672. This is sufficient evidence of the incorrectness of Mr. Sparks' date, but in addition, Lewis himself says, "My mother died when I was about six months old, and my father not long after, in New-York, where I was left an orphan entirely in the hands of strangers, *who were appointed by the government to take care of me.* Some time after that, the Dutch took the place, and I was put by *their* magistrates into the hands of trustees, &c.

attack upon Jamaica. Having a nephew settled at Barbadoes, he was induced to purchase an estate in that island; and not deeming it advisable to return to England after the Restoration, he subsequently became part owner of the island of St. Lucia and took up his abode permanently in the West Indies, remaining there until the death of his brother called him to New-York.*

In addition to his manor of Morrisania, Colonel Morris acquired soon after his arrival—October 25, 1676—a large tract of land in Monmouth County, New Jersey, said to contain 3540 acres, whereon were located—as described by Secretary Nichols in 1680—“his Iron Mills, his Manours, and divers other buildings for his servants and dependants; together with 60 or 70 Negroes about the Mill and Husbandry.”† To this plantation he gave the name of Tintern (corrupted afterwards to Tinton), after an estate which had belonged to the family in Monmouthshire, Wales; and from him Monmouth County also received its name.

Of strong passions and erratic temperament, young Lewis frequently gave offence to his uncle by the indulgence of his youthful caprices and disposition to revolt against his just authority. Smith, the New-York historian, gives an anecdote illustrating his mischievous propensities and the practical character of his jokes. Hugh Coppathwaite, a zealous Quaker, was at one time his preceptor, and the pupil took a fitting opportunity to play upon his enthusiasm, by calling to him from a tree and ordering him to preach the gospel among the Mohawk Indians. This was deemed by the Quaker a

* Bolton's Westchester, pp. 285, 6. the Proprietors, p. 271. Smith's N. J.

† Scot's Model of the Government p. 430.
of N. J. p. 128, in East Jersey under

miraculous call, and he was on the point of proceeding on his mission, when he was undeceived.*

This or some other prank promising to bring upon him the severe displeasure of his uncle, he at one time left his house and wandered off, dependent on his own resources. He first strolled to Virginia, and thence to the island of Jamaica, where he earned a support, we are told, in the capacity of scrivener, for which, if we may judge from the regularity and distinctness of his writing in after life, he was well qualified. After some years thus spent, like the prodigal son "he came to himself" and returned home, became reconciled to his uncle, and was not again tempted to try a life of dependence and privation. His uncle, more effectually to eradicate his ruling propensities, brought about a marriage—November 3, 1691—between him and Miss Isabella, daughter of James Graham, attorney-general of the province, a lady of good sense and refined manners, with whom he lived for nearly fifty-five years in the enjoyment of much connubial happiness, and towards whom he appears ever to have cherished a sincere affection.†

Mr. Morris's uncle died in May, 1691. By articles of agreement entered into by him and his brother Richard, it was covenanted that if either of them should die without issue, the survivor or issue of the survivor, if any, should inherit the estates of both. The will of Lewis Morris, as originally drawn, indicated a determination to carry out the conditions of this agreement; but there were erasures and interlineations subsequently made, of which it was doubtful if the testator had any knowledge, by which the Morrisania tract was

* Smith's N. Y. I. p. 130.

† Smith's N. Y. I. p. 180. Bolton's Westchester.

devised so as to benefit the heirs and assigns of his widow, who survived him only about a week. The circumstances were so strong against the validity of the will, that letters of administration were issued to Mr. Morris, who had just arrived at man's estate; and having subsequently purchased releases from the heirs and legatees of the widow, he enjoyed quiet possession of the property until his death.*

Whether he had devoted himself to the study of the law previously is not known; but the first mention of him as connected with any public station is as one of the judges of the Court of Common Right in East Jersey in 1692, when Andrew Hamilton was appointed governor,—in whose council he also had a seat. He had taken up his residence in Monmouth County, and, notwithstanding his youth, soon exercised great influence in public affairs, developing very early in his career those mental qualities, and that sagacious discernment of men's characters and actions, which subsequently caused him to be considered more knowing in the law and a greater adept in the wily intrigues of colonial politics than any of his compeers.

On the arrival of Jeremiah Basse, in 1698, claiming the government of the province by the appointment of

* This information is embodied in the preamble to his own will. See Appendix. For the will itself the reader is referred to Mr. Bolton's admirable work (II. p. 290). The preamble, which, from the amicable relations which had existed between uncle and nephew for some years, carries with it doubts of authenticity, is as follows:

"Whereas I formerly intended to have made my nephew, Lewis Morris, son of my deceased brother, Richard

Morris, my sole executor; his many and great miscarriages, and disobedience towards me and my wife, and his causeless absenting himself from my house, and adhering to and advising with those of bad life and conversation, contrary to my directions and example unto him, and for other reasons best known to myself, I doe make and ordaine my dearly beloved wife, Mary Morris, sole executrix of this my last will and testament."

only ten proprietaries, instead of the requisite number of sixteen, Mr. Morris ranged himself with those who would not acknowledge his authority, and refused obedience to the legal tribunals and to those officials who upheld his claims as the chief functionary of the province. Basse's proclamation of his commission was made on the 8th of April, 1698, and a month thereafter we find Mr. Morris fined and imprisoned for contemning the authority of the Court of Common Right in session at Amboy. What were the precise circumstances we know not; but his commitment, carefully preserved and endorsed by himself, is among the manuscripts of the Historical Society, and runs thus:

"Att the Court of Comon Right held at Perth Amboy ye 11th day of May 1698, The Court orders that Lewis Morriss Esqr. for denying ye Authoritie of this Court, And other his contempts, shall be fined fifty pounds, and be committed to prison till paid.

"By order of ye court EDWARD SLATER Clerke.

"To ye Sheriff of ye County of Middx:

"A True Coppy

JOSEPH ROLPH Shr'f" *

On the 6th May, five days preceding this event, Mr. Morris, in consequence it is presumed of his known sentiments respecting the governor, had, with two others, been removed from the council, and it is

* East Jersey under the Proprietors, p. 100. The author, misled by Smith in his History of New Jersey, p. 175—who says the Lewis Morris mentioned by him, as having been imprisoned in a log-house in a disturbance relating to the town affairs of Middletown about 1684, "was afterwards governor

of New Jersey,"—suggests the possibility that Smith may have erred in the date, and the imprisonment referred to have been that mentioned in the text; but the Lewis Morris of 1684, who was one of Lawrie's Council, was the *uncle* of the governor.

not improbable that it prompted his open opposition to the mandate of the court. He continued to be an active participant in those measures which were calculated to exert a conservative influence; and from his course before the Court of Common Right, he, doubtless, originated those arguments which were soon generally adopted, by which the authority of Basse was endeavored to be overthrown.*

On the return of Hamilton as governor, in 1700, he was appointed President of the Council, and took a prominent part in the difficulties which attended his administration, never shirking responsibility nor wavering in the performance of duty.

During this period he continued to reside on his estate in Monmouth County; whence, in 1700, he addressed the following representation to the Bishop of London concerning the state of religion in the two provinces.

The Memorial of Col. Morris.

The Province of East Jersey has in it Ten Towns (viz') Middletown, Freehold, Amboy, Piscataway, and Woodbridge, Elizabeth Town, Newark, Aqueckenonck and Bergen, and I judge in the whole Province there may be about Eight thousand souls. These Towns are not like the Towns in England, the houses built close together on a small spot of ground, but they include large portions of the Country of 4, 5, 8, 10, 12, 15 miles in length, and as much in breadth, and all the Settlements within such State and bounds is said to be within such a Township, but in most of those townships there is some place where a part of the Inhabitants sat down nearer together than the rest, and confined themselves to smaller portions of ground, and the town is more peculiarly designed by that Settlement. Those towns and the whole province was peopl'd mostly from the adjacent colonies of New York and New England, and generally by Sons of very narrow fortunes, and such as could not well subsist in the places they left. And if such people could bring any religion with them, it was that of the country they came from and the State of them is as follows :—

* East Jersey under the Proprietors, p. 139.

BERGEN, and the out Plantations are most Dutch, and were settled from New York and the United Provinces; they are pretty equally divided into Calvinist and Lutheran; they have one pretty little Church, and are a sober people; there are a few English Dissenters mixt among them.

AQUECKENONCK was peopl'd from New York also; they are Dutch mostly, and generally Calvinist.

ELIZABETH TOWN & NEWARK, were peopled from New England, are generally Independents; they have a meeting house in each town for their public worship; there are some few Churchmen, Presbyterians, Anabaptists, and Quakers settled among them.

WOODBIDGE was settled from New England and were generally Independents till about 16 years since, there was a number of Scots Presbyterians amongst them; the People are divided mostly into Presbyterians and Independents, and there is mixt amongst them Baptists, Quakers, Ranters, cum multis aliis.

PISCATAWAY was settled from New England, and is called the Anabaptist Town, from about twenty in that Town that agree in that Perswasion; the rest of the People are of all, or of no religion.

PERTH AMBOY the Capital City was settled from Europe, and we have made a shift to patch up the old ruinous house, and make a church of it, and when all the Churchmen in the Province are got together, we make up about twelve Communicants; the People of that town, are a mixture of all Perswasion.

FREEHOLD was settled from Scotland (Mr. Keith began the first settlement there, and made a fine Plantation, which he afterwards Sold, and went into Pensilvania) and about the one half of it are Scotch Presbyterians, and a sober people; the other part of it was settled by People (some from New England, some from New York, and some from the forementioned towns) who are generally speaking of no religion. There is in this Town a Quaker Meeting house, but most of the Quakers who built it are come off, with Mr. Keith; they have not fixt yet on any religion, but are most inclinable to the Church, and could Mr. Keith be perswaded to go into those Countrys, he would (with the blessing of God) not only bring to the Church the Quakers that come off with him in East and West Jersey, which are very numerous, but make many Converts in that Country.

MIDDLETOWN was settled from New York and New England; it is a large Township; there is no such thing as Church or Religion amongst them; they are p'haps the most ignorant and wicked People in the world; their Meetings on Sundays is at the Publick house, where they get their

fill of Rum, and go to fighting and running of races which are Practices much in use that day all the Province over.

SHREWSBURY Settled from New England, Rhode Island and New York; there is in it ab^t thirty Quakers of both Sexes, and they have a Meeting house; the rest of the People are generally of no Religion; the Youth of the whole Province are very debauch'd & very ignorant, and the Sabbath day seems there to be set apart for Rioting and Drunkenness. In a word a general Ignorance & immorality runs through the Youth of the whole Province.

There was in the year One thousand six hundred ninety seven some endeavours to settle a maintenance in that Country for Ministers, and the greatest part of the house of Commons there were for it, but one Richard Hartshorne a Quaker, and Andrew Brown* an Anabaptist found means to defeat it that Session, & before the Assembly could sit again, arriv'd one Jeremiah Bass an Anabaptist Preacher with a Commission from the Proprietors of East Jersey to be their Governour, & with Instructions & Orders from them not to Consent to any Act to raise a Maintenance for any Minister of what Perswasion soever, so that there is no hope of doing any thing of that kind till that Governm^t is in other hands.

In West Jersey in the year 1699 there were 832 freeholders of w^{ch} there were 266 Quakers, whose number are much decreased since Mr. Keith left them. The Quakers in y^t Province are y^e Men of the best Rank and Estates (the rest of that Province (generally speaking) are a hotch Potch of all Religions; the Quakers have several Meeting houses disperst up and down that Province & I believe none of the other perswasions have any. They have a very Debaucht Youth in that Province & very ignorant.

PENSILVANIA is settled by People of all languages and Religions in Europe, but the People called Quakers are the most numerous of any one perswasion, & in Philadelphia the Capital City of that Province, there is an Episcopal Church, a Quaker Meeting house, a Presbyterian Meeting house, an Anabaptist Meeting house, & I think an Independent Meeting house, & a little w^{thout} y^e Town a Sæeds Church; the Church of England gains ground in that Country, & most of the Quakers that came off with Mr. Keith are come over to it; The Youth of that Country are like those in the neighbouring Provinces very Debaucht and ignorant.

I shall now suggest some measures w^{ch} may conduce to y^e bringing over to the Church the People in those Countrys.

First. That no man be sent a Governor into any of those Plantations

* Andrew Bowne.

but a firm Churchman, & if possible none but Churchmen be in his Counsel & in the Magistracy.

2dly. That Churchmen may have some peculiar privileges above others. This (if practicable) must be done by Act of Parliament.

3dly. That there may be some measures fallen upon to get Ministers to preach gratis in America for some time till there be sufficient numbers of Converts to bear the Charge & I presume that may be accomplish'd this way.

Let the King, the A: Bishop,* y^e Bishops & great Men admit no Man for so many years to any great Benefice, but such as shall oblige themselves to preach three years gratis in America; with part of the living let him maintain a Curate, & the other part let him apply to his own use. By this means we shall have the greatest & best men & in human probability such men must in a short time make a wonderful progress in the Conversion of those Countries, especially when its p^rceived the good of Souls is the only Motive to this undertaking.

In this document, the first from his pen of which we have any knowledge, may be observed some of those peculiarities—deemed afterwards indications of a “whimsical temper”—which were the natural results of the want of training and discipline in his youth. Impelled to action by a mind of more than ordinary vigor, and taught by the vicissitudes of his early years to depend upon his own mental resources in combating with the world, it is not surprising that he should have exhibited an originality of thought and independence of manner in after-life, calculated to attract the attention of all among whom he was thrown.

Having become convinced that the proprietaries could no longer hope to administer the affairs of the province acceptably to the people, or profitably for their own interests, Colonel Morris warmly advocated a surrender of the government to the crown; exerting his influence to secure the coöperation of all the

* Archbishop.

proprietors in the province. In this he succeeded, and then embarked for England to persuade those residing there also to join in the measure; which was perfected and the instrument of surrender, which included West Jersey likewise, was delivered to Queen Anne in Council on the 16th of April, 1702. About ten days thereafter, Colonel Morris left England for America; but the prominent part he had acted in the negotiations which preceded this important event, in connection probably with the estimate formed of his past services in the province, led to his being nominated as the first governor of New Jersey, while yet the intention was entertained of granting to it a distinct executive: but that plan having been abandoned in favor of one which placed New-York and New Jersey under the same governor—although retaining their respective legislatures and jurisdiction—Colonel Morris's name was withdrawn, and another substituted.*

Lord Cornbury, the favored individual, was indebted for the appointment mainly to his relationship to the Queen. He arrived at New-York on the 3d May, 1703, but did not publish his commission at Perth Amboy until the 14th August following. Among those whom he was instructed to call around him as his Council, was Mr. Morris—his name occupying the second place in the list—and he very soon became not only a prominent member of that body, but the special opponent of the governor. By opposition to the measures introduced into the Council, which he

* "The Case of Lewis Morris, Esq., late Chief Justice, &c.," submitted to the Privy Council, 1735. Mr. Stevens' Index to the New Jersey Colonial Documents in the English State Paper Offices, shows, in the frequent men-

tion of papers by, or referring to, Mr. Morris, how intimately he was connected with these negotiations.—When will the legislature place the contents of those papers in the hands of the citizens of the State?

conceived prejudicial to the interests of the province, he drew upon himself the ire of that functionary, and in the course of the ensuing year, 1704, he was suspended; and although reinstated by order of the Queen, was again suspended before the end of the year.* He seems then to have retired from public life until 1707, when he was elected a member of the General Assembly—the previous body having been dissolved by the governor in the hope that one less refractory might be secured; success having attended a similar proceeding in 1704.

The experience of the people of New Jersey had by this time fully tested to their satisfaction the relative merits of a proprietary and royal government; what they had gained in its efficiency, was more than counterbalanced by the encroachments made upon their liberties. The result of the election in 1707 was consequently adverse to the governor's views, a large majority being disposed to act independently and for the welfare of the province, regardless of his persecution and abuse. Mr. Morris at once assumed the position of a leader of the dominant party, being ably seconded by Thomas Gordon, the distinguished member from Perth Amboy; and Samuel Jennings—a man of a fearless spirit who for several years had filled the chief authority in West Jersey, and become in consequence well versed in the condition of the province and the necessities of the people—having been chosen Speaker, no difficulty was experienced in agreeing upon

* Smith's N. J. pp. 344, 429. Writing to a friend about this time, he says, "As to my own character I know the gentleman that gives it. He sails before the wind and tide, Tom Tinker's course, and needs not

so much ballast as I that am forced to turn to windward. The common fate of such leeward bottoms is a lee shore where they lay their bones."—*Letter in possession of L. G. Morris, Esq.*

a representation to the Queen, setting forth the grievances under which they labored; and also a remonstrance to the governor,—a most unpalatable substitute for the support-bill he desired.

This remonstrance,* of which Mr. Morris is reputed to be the author, presented most forcibly the evils complained of, and called forth from the governor in reply a bitter denunciation of the men to whose agency he rightfully attributed the adopting of those views which so decidedly militated against the supremacy of his individual will. The member from Perth Amboy was referred to in disparaging terms as “one Thomas Gordon,”—and Morris and Jennings stigmatized as men “known to have neither good principles nor good morals,” notorious as “disturbers of the quiet and peace of the province, possessed with passionate heats, and the transports of most vindictive tempers.” The lieutenant governor, Ingoldsby, and eight of the Council, in a counter-memorial to the Queen,†—secretly prepared and privately transmitted—also characterized them as turbulent, factious, uneasy, and disloyal; “men known to be uneasy under all government, never consistent with themselves, and to whom all the factions and confusions in the governments of New Jersey and Pennsylvania for many years are wholly owing.”

The Assembly did not allow these aspersions upon the character of their two most prominent members to pass unrebuked, but, in a subsequent address to the Queen, as well as in their rejoinder to the governor which he refused to receive, exculpated them from the malevolent accusations of Cornbury and his adherents. Their representations appear to have been credited by the Ministry, for in 1708, Colonel Morris, as he was

* Smith's N. J. p. 289.

† Smith's N. J. p. 346.

then styled, was reappointed one of the Council under Lord Lovelace, who succeeded Cornbury towards the close of that year; but only to be again suspended by Lieutenant Governor Ingoldsby, on whom the government devolved the year following, on the death of Lovelace.* The relations which, during Cornbury's administration had existed between Colonel Morris and Ingoldsby, were not calculated to promote harmonious action when the latter found himself clothed with the chief authority in the province.†

In 1710, the government was conferred upon Robert Hunter; and Colonel Morris was placed at the head of the Council, and continued in that position for many years. He seems, however, at this time to have been less prominent in Jersey affairs, and to have taken for some years a more active part in the public business of New-York. He was a warm friend of Governor Hunter, and the most influential supporter of his government in the Assembly of that province; his earnestness on one occasion causing him to be expelled from his seat, which he regained only by a new election.‡

Notwithstanding his able coadjutors, Governor Hunter's administration met with much opposition in New-York; and not until 1716 did he succeed in securing the hearty coöperation of the Assembly. In New Jersey he was highly esteemed, as he assented to most of the laws the people desired, and appointed to office men of character. On his leaving for England, in 1719, Colonel Morris in behalf of the New-York

* Smith's N. J. pp. 344, 429

† Wm. Smith in his Hist. New York, I. p. 180, says, Colonel Morris was employed by the Assembly "to draw up their complaint against Lord Corn-

bury, and made the bearer of it to the Queen," but no confirmation of this has been met with.

‡ Smith's N. Y. I. pp. 181, 184.

assembly, addressed him in the most eulogistic terms. He had "governed well and wisely, like a prudent magistrate, or an affectionate parent;" and as none among the many governors they had seen had ever become so justly fixed in the affections of the people, so the highest meed of praise that could be rendered to his successors, would be to say their conduct had been like his.*

On the accession of William Burnet as successor to Governor Hunter, in September, 1720, Colonel Morris received the appointment of chief justice of New-York, and became the chief confidant and adviser of the new executive. Hunter had previously known, and exchanged offices with, Burnet, who had been holding the office of comptroller of the customs at London, and was therefore enabled to give him much valuable information respecting the provinces, and to secure for his friends Burnet's favorable consideration. Colonel Morris's son Lewis was soon called to the council board, a proof of the estimation in which the father was held, and giving assurance of the controlling influence he possessed throughout Burnet's administration, which terminated in April, 1728, in his transfer to the government of Massachusetts; John Montgomerie succeeding him in that of New-York and New Jersey.

A connection with New-York in government had ever been distasteful to the people of New Jersey. The inconvenience which naturally resulted from the governor's residing permanently in New-York—his infrequent visits—the influence which the interests and projects of the larger and more populous province was allowed to have upon that officer, oftentimes to their prejudice, and which led too frequently to a disregard

* Smith's N. Y. I. pp. 291, 292.

of their independent position and equality of rights—had prompted them at various times to originate movements looking to a separation of the governments.

Colonel Morris does not appear to have advocated the measure, during the administration of Governor Burnet at least, whatever he may have subsequently done; and in 1728–9, after the accession of Governor Montgomerie, the action of the Assembly on the subject was so unpalatable to him and his council that he dissolved them.*

James Alexander, in a letter to Governor Hunter, dated Feb. 3, 1730, gives the following detailed account of what he calls “the secret springs” of the proceedings in New Jersey, leading to the dissolution of the Assembly.

“John Kinsey, son of J. K. formerly Speaker of the Assembly, has become Assembly-man for Middlesex County in his father’s place for several Assemblies past, and so was of that Assembly. Mr. K. is a man of good natural parts and sense, and practises the law with success and reputation, but he seems to have an extreme desire after popular applause, and to be es-

* The following resolution expresses the views of the Assembly:

RESOLVED, *Nemine contradicente*, That the House will enter into consideration of what may be the most effectual method of obtaining a distinct governor for this province hereafter, and it is ordered that Mr. Kinsey, Mr. Stacy, Mr. Lambert, Mr. Eaton, Mr. Sonmans, and Mr. Bonnel, wait on his Excellency and Council with this and the last resolve [to the effect that a distinct governor would be an advantage to the province], and desire their

concurrence therein and a conference touching the manner most likely to effect it, and withal to signify to the governor and that board, that it is in no wise the intention of this House to give him the least uneasiness (were it in their power), during the time he may continue in command, but only to take such measures as may best conduce to the end aforesaid, when his commission may determine by the King’s pleasure or otherwise, and this they conceive a duty incumbent on them.

teemed a patriot; this desire, which must naturally raise an emulation, with his own abilities, chiming in with people who seem by nature to live to oppose every thing that a governor or his friends propose, gave him in the latter end of Mr. Burnet's time a great ascendancy in the Assembly, which was still more increased by sundry popular acts which he proposed and got passed in Mr. B.'s last Assembly:—such as the Quaker affirmative Act to be perpetual—Assembly to be biennial—and several others as popular. He also then put the Assembly upon addressing the king for a separate governor for New Jersey, but Mr. Burnet upon hearing of it immediately adjourned the Assembly and desired freely to speak with them at his house, when he told them it would be dishonorable in him to permit such an address at that time when he every day expected a successor; and if they would not persist to press that matter he would not suffer them to meet again but must dissolve them: and they having so many other things of consequence that they were unwilling to lose, they agreed to drop their addressing at that time, but the notion of a separate governor and the great advantage it would be of to the province, soon spread and became the talk of every body, so that it was not doubted but that the Assembly would go upon it at their first meeting again, and that without it nothing was to be expected; and when the Assembly was met, the current was so strong this way that the only question seemed to be whether it should be done in concert beforehand with the governor or not. Dr. Johnston and his friends, who were near the half of the house, were for concerting the measures with the governor and obtaining his interest in favor of the thing, and for offering a handsome consideration to his Excel-

lency for it; but the rest of the Assembly, headed by Mr. Kinsey and Peter Sonmans, were for no concerting nor consideration other than the addition of a three years support to the two years support then established, and they being a majority, would have carried it in that manner had they sat. But his Excellency conceiving that the proceeding in that manner was first disrespectful, and in the second place, should their address have its effect, he had little prospect of a further support, but that the people would worship the rising sun and slight him, therefore thought proper to dissolve them.”*

The dissolution was made on the ground that the resolutions of the Assembly were disrespectful to the king, whose prerogative it was to appoint the governor; as his pleasure should first have been ascertained.

Governor Montgomerie died July 1st, 1731, and from that time until the arrival of William Cosby, his successor, in August, 1732, Colonel Morris exercised the chief authority in New Jersey;† still retain-

* Rutherford Papers. Mr. Alexander wrote “A Modest Vindication of the Proceedings of the Legislature,” which is among his papers.

† Among the papers in the English State Paper Office, noted by Mr. Stevens, is a letter dated June 2d, 1732—from Mr. Morris to the Duke of Newcastle, of which the following summary is given:

“A separate governor in New Jersey is desired by the greater part of the inhabitants, but Mr. Morris is not so sanguine about it. Commercial position of New Jersey with regard to New-York and Pennsylvania—the people would like to have the governor dependent upon them—difficulty of satisfying both divisions of the province—want of councillors—Mr. John Hugh

(Hugg ?) of the western and Mr. John Johnston of the eastern division, are dead, and Mr. John Wills of the western is superannuated—Mr. Morris recommends for the Council of the western division, Mr. Thomas Lambert, Mr. John Allen, Mr. John Rodman, Mr. Mahlon Stacy, Mr. John Dagworthy, and Mr. Richard Smith—for the eastern division Mr. Richard Ashfield, Mr. Andrew Johnston, Mr. William Provost, Mr. John Schuyler, and Gabriel Stelle—the militia is in a very bad condition—commissions are not taken up—Mr. Morris was told that he was to be appointed governor of New Jersey—services done by him in effecting the surrender.”—*America and West Indies*, Vol. 12, No. 19. *Original 18 folios.*

ing his position in New-York, although his influence had not continued as potent with Montgomerie as with his immediate predecessors; and his son, for some reflections upon the governor's conduct, was dismissed the Council of that province in 1729.

On the coming in of Cosby's administration, Colonel Morris's relations to the government changed, and from having been for many years the stanch supporter of the governor in power, he soon assumed an antagonistic position, which led to his suspension, after having served as chief justice more than twenty years. The immediate cause of this proceeding was Morris's opposing the views of the other judges in relation to the jurisdiction of the Supreme Court in cases of equity; they favoring the governor in a controversy between him and Van Dam, the president of the Council, involving their respective rights to the remuneration received by the latter during the period which elapsed between the death of Montgomerie and the arrival of his successor. The chief justice prepared a long argument in support of his opinion, with which the governor was much displeased; and on his demanding a copy, Morris had it printed* and sent it to him with the following letter—so illustrative of the man that no apology is necessary for introducing it here.

To his Excellency William Cosby, Esq., &c.

MAY IT PLEASE YOUR EXCELLENCY:

In obedience to your commands by F. M. Esq., deputy secretary, to send you a copy of what I read in the Supreme Court concerning its

* Smith's N. Y. II. pp. 4-6. Under date of Jan. 8, 1733, the Privy Council ordered Gov. Cosby to transmit forthwith the reasons for his removal from office; Mr. Morris stating in a petition to the Council, that he was "ignorant of the reasons for such his re-

moval, and apprehending the governor hath transmitted the same to his Majesty, he humbly prays to be allowed a copy thereof, and that he may be heard in his defence."—*Lewis Morris's Papers*, No. 4, N. J. Hist. Soc. Library.

having a jurisdiction to determine causes in the Court of Equity, and a second message from him to give it under my hand, I send you not only what I read, but what I said on that head, as far as I can charge my memory. What was said, was spoken before a numerous auditory, among which were the grand jury for the city and county of New-York and several other persons of distinction. I chose this public method to prevent, as much as I could, any misapprehension; and what I said is as follows, viz. [Then follows his argument against erecting a Court of Equity, and he concludes as follows.]

This, sir, is a copy of the paper I read in court, and the substance of what I said besides on that head, as far as I can shape my memory. I have no reason to expect that either this or any thing else I can say, will be at all grateful, or have any weight with your Excellency, after the answer I received to a message I did myself the honor to send to you concerning an ordinance you were about to make for establishing a Court of Equity in the Supreme Court, as being, in my opinion, contrary to law, and which I desired might be delayed till I could be heard on that head. I thought myself within the duty of my office in sending this message, and hope I do not flatter myself in thinking I shall be justified in it by your superiors, as well as mine. The answer your Excellency was pleased to send by Mr. J. was, *that I need not give myself any trouble about that affair; that you would neither receive a visit or any message from me; that you could neither rely upon my integrity nor depend upon my judgment; that you thought me a person not at all fit to be trusted with any concerns relating to the king; that ever since your coming to the government I had treated you, both as to your own person and as the king's representative, with slight, rudeness and impertinence; that you did not desire to see or hear any further of, or from me.* I am heartily sorry, sir, for your own sake, as well as that of the public, that the king's representative should be moved to so great a degree of warmth, as appears by this answer, which I think would proceed from no other reason but by giving my opinion in a court of which I was a judge, upon a point of law that came before me, and in which I might be innocently enough mistaken, (though I think I am not;) for judges are no more infallible than their superiors are impeccable. But if judges are to be intimidated so as not to dare to give any opinion but what is pleasing to a governor, and agreeable to his private views, the people of this province, who are very much concerned both with respect to their lives and fortunes in the freedom and independency of those who are to judge of them, may possibly not think themselves so secure in either of them, as the laws and his Majesty intend they should be.

I never had the honor to be above six times in your company in my life:—one of those times was when I delivered the public seals of the Province of New Jersey to you on your coming to that government; another, on one of the public days, to drink the King's health; a third, at your desire, to wait on my Lord Augustus Fitz Roy, with the body of the laws [lawyers?], to tell him we were glad to see him at New-York; and except the first time, I never was a quarter of an hour together in your company at any one time; and all the words I ever spoke to you, except at the first time, may be contained on a quarto side of paper. I might possibly have been impertinent, for old men are too often so; but as to treating you with rudeness and disrespect, either in your public or private capacity, it is what I cannot accuse myself of doing or intending to do, at any of the times I was with you. If a bow, awkwardly made, or any thing of that kind, or some defect in the ceremonial of addressing you, has occasioned that remark, I beg it may be attributed to the want of a courtly and polite education, or to any thing else, rather than the want of respect to his Majesty's representative. As to my integrity, I have given you no occasion to call it in question. I have been in this office almost twenty years. My hands were never soiled with a bribe; nor am I conscious to myself, that power or poverty hath been able to induce me to be partial in the favor of either of them; and as I have no reason to expect any favor from you, so I am neither afraid nor ashamed to stand the test of the strictest inquiry you can make concerning my conduct. I have served the public faithfully and honestly according to the best of my knowledge, and I dare, and do, appeal to it for my justification.

I am, sir, your Excellency's

most humble servant,

LEWIS MORRIS.*

It is not surprising that such a chief justice should prove unacceptable to the governor. His suspension took place in April, 1733, and the province became immediately divided into two parties—the opposition, or country party, of which he was the head; and the governor's, or court party, having for its chief James Delancey, who had been appointed to the vacant judgeship.

* Bolton's Westchester, II. p. 307.

It is unnecessary to enlarge upon the occurrences that ensued. Occasional references will be found to some of them in the papers contained in this volume. Colonel Morris, soon after his suspension, was elected a member of the Assembly for the county of Westchester, and seems so to have conducted himself as to increase his already great popularity; so that on his visiting the capital, salutes were fired, and deputations of the citizens met and conducted him with loud acclamations to a public and splendid entertainment.*

Towards the close of 1734, the proceedings of Governor Cosby so exasperated his opponents, that they determined to lay their grievances before the King, and they selected Colonel Morris as peculiarly fitted to be their messenger. His private wrongs were of a nature to incite to vigorous exertion, and his intimate acquaintance with the public affairs of the province rendered him an intelligent adviser as to what measures would best conduce to harmonize its conflicting interests, and develope those resources which were calculated to advance its prosperity. It was deemed advisable to observe secrecy respecting Colonel Morris's movements. Asking for, and obtaining leave of absence to visit his New Jersey plantation, in order that he might not endanger his seat in the Assembly,† he there made his arrangements for his voyage, and embarked at Sandy Hook. Suspicion was not excited until he had actually sailed.‡

* Smith's N. Y. II. p. 7.

† Smith says his application for leave of absence was so expressed, as to cover his voyage to England—he having “asked for leave to go home,” II. p. 19. He was accompanied by his son, Robert Hunter Morris.

‡ At a consultation between James Alexander, William Smith, and Lewis Morris, Jun., as to the matters to be intrusted to Col. M——, it was determined that he should exert himself to procure among other things: The removal of the governor, if possi-

The impression made upon Colonel Morris by those administering the affairs of the colonies at that time, may be gathered from the following extract from a letter to James Alexander, dated February 24th, 1734-5.

"We talk in America of applications to parliaments. Alas! my friend, parliaments are parliaments every where; here, as well as with us, though more numerous. We admire the heavenly bodies which glitter at a distance; but should we be removed into Jupiter or Saturn, perhaps we should find it composed of as dark materials as our own earth * * * * We have a parliament and ministry, some of whom, I am apt to believe, know that there are plantations and governors—but not quite so well as we do; like the frogs in the fable, the mad pranks of a plantation-governor is sport to them, though death to us, and seem less concerned in our contests than we are at those between crows and kingbirds. Governors are called the King's representatives; and when by repeated instances of avarice, cruelty, and injustice, they extort complaints from the injured in terms truly expressive

ble;—his own restoration;—the dissolution of the then existing Assembly; the removal of Francis Harrison, and Daniel Horsmanden, from the Council of New-York;—instructions to Gov. Cosby to pass such laws as a new Assembly should conceive conducive to the welfare of the people, and particularly an Act for an Annual or Triennial Assembly, and some others of a special character;—to allow the Council to sit without him, and that their advice and consent should be required in conformity with his instructions;—that the governor should also be instructed not to set himself above the law;—to grant new charters to the

cities of New-York and Albany;—and that only by adhering to these directions could he hope to be retained in office.

Making cast-iron, and encouraging the growth of hemp, were matters to be pressed upon the attention of the ministry and parliament—and he was to take care that the interests of the province received no damage. Should Mr. Cosby's friends agree to such a compromise, then Col. Morris was, for himself and those acting with him, to pledge their support with all the respect due to his office.—*Rutherford Collection*, Vol. II.

of the violence committed and injuries suffered, it must be termed a flying in the face of government; the King's representative must be treated with softness and decency—the thing complained of is nothing near so criminal in them as the manner of complaint in the injured.

“And who is there that is equal to the task of procuring redress? Changing the man is far from an adequate remedy, if the thing remains the same; and we had as well keep an ill, artless governor we know, as to change him for one equally ill with more art that we do not know. One of my neighbors used to say that he always rested better in a bed abounding with fleas after they had filled their bellies, than to change it for a new one equally full of hungry ones; the fleas having no business there but to eat. The inference is easy.”

Again, under date of March 31st, he writes :

“You have very imperfect notions of the world on this side of the water—I mean that world with which I have to do. They are unconcerned at the sufferings of the people in America * * * * It is not the injustice of the thing [referring to Cosby's acts], that affects those concerned in recommending of him, provided it can be kept a secret and the people not clamor; and when they do, if they meet with relief, it is not so much in pity to them, as in fear of the reflection it will be upon themselves for advising the sending such a man, the sole intent of which was to make a purse * * * * Every body here agrees in a contemptible opinion of Cosby, and nobody knows him better, or has a worse opinion of him, than the friends he relies on; and it may be, you will be surprised to hear, that the most nefarious crime a governor can

commit, is not by some counted so bad as the crime of complaining of it—the last is an arraiging of the Ministry that advised the sending of him.”*

Although it is evident that Cosby had very little personal influence in England, yet the considerations stated in these extracts, were sufficient to create an interest in his behalf which the most urgent appeals from those he was misgoverning in America, though pressed by so able an advocate as Colonel Morris, could scarcely be expected to counteract. The delays to which the affairs were subjected, and other occurrences, gave little promise of success for months.

In addition to his suspension from the chief justiceship, Cosby had entered complaints against Colonel Morris in his capacity as councillor in New Jersey, and on the 28th August, 1735, the lords of trade recommended his dismissal, it appearing to them, from letters received from the governor, that he had been guilty of arbitrary conduct while acting as president, having turned out several officers without consent of the Council and in contempt of his Majesty's instructions, to make way for his near relatives; and also for having acted as chancellor and made a decree without giving regular notice, or hearing the parties concerned; while he had, nevertheless, loudly declaimed against his Majesty's governors, both in New-York and New Jersey, who had acted as chancellors, pronouncing their decrees invalid, and asserting that his Majesty had no right to establish a Court of Chancery in those provinces. This recommendation, however, does not appear to have been acted upon.

Colonel Morris, not daunted by the discouragements which attended his exertions, exhibited his

* Rutherford Collection, Vol. II.

characteristic spirit and pertinacity, and eventually triumphed by obtaining on the 7th November a decision of the Privy Council pronouncing the governor's reasons for his removal insufficient. Peter Collinson, in a letter to Mr. Alexander, says: "The Duke of Newcastle [to whom Cosby was indebted for his appointment] was a strenuous friend in the governor's interest, and also Lord Halifax who is a relation of the governor; but the governor's spleen, pique, and prejudice were so notoriously seen through the whole charge, that there was no supporting it."*

The more general objects of his mission were yet to be attended to. The advantage he had gained gave him increased consideration, and it was deemed advisable to approach him with propositions for a compromise. The slumbering question of a separate governor for New Jersey, was revived; and a direct proposal was made to Colonel Morris to confer upon him the office upon his withdrawal of the complaints against Cosby. This, however, he would not do; and seems to have despaired of impressing the administration with a just sense of the wants of the colonies, and the necessity for reform. Writing to Alexander, under date of January 11th, 1736, he says: "If we cannot help ourselves on our own side of the water, we must

* Ferdinand John Paris on Nov. 21st, 1735, wrote to Alexander: "Col. Morris's affair has been lately heard, of which I doubt not he has given you an account. Notwithstanding the strongest efforts here of the governor's great friends the committee have resolved to report to his Majesty that the governor's reasons for removing Col. Morris from the chief justiceship are not good and sufficient, and I am inclina-

ble to think his Excellency shakes. There was nothing stuck with any of the lords of the Council in Col. Morris's affair, but the printing and publishing of his opinion, which was endeavored by some persons to be magnified as tending to sedition."

The law lords—Lord Hardwick and the Master of the Rolls—had clearly laid down the rule that a governor should prove his complaint.

learn to bear our miseries as well as we can till chance or Providence releases us; for the expense of soliciting for relief here is so great as no *one* can bear, and hardly all together.*

The death of Cosby, which occurred in March, 1736, rendering a longer stay in England useless, Colonel Morris returned to America. He arrived at Boston in September, and reached Morrisania on 7th October. He was waited upon the next day by a vast concourse of people, and conducted with shouts to a meeting of the leaders of the popular party;—the contests growing out of the claims of the rival candidates for the presidency of the Council—Van Dam and Clarke—having thrown the province almost, if not quite, into a state of anarchy. Colonel Morris advocated the claims of Van Dam; and when importuned for his advice, is reported to have said of the opposite party, “If you don’t hang them, they will hang you;” and to have urged a resort to forcible resistance to the authority of Clarke. This, however, was rendered unnecessary by the arrival within a week of dispatches to Clarke from England, recognizing him as the acknowledged head of the government.†

Colonel Morris, on the 13th October, repaired to New Jersey; and the chief authority there being in the hands of John Hamilton, the oldest resident councillor, he claimed precedence, having been the first named in the instructions of Governor Cosby. The matter was referred to the Council, who decided that

* Rutherford Collection, Vol. II.

† Smith’s N. Y. pp. 30, 31. Col. Morris was accused with suppressing the fact of Clarke’s having been recognized as President by the Government, but he and his friends denied having had any knowledge of it. If the senti-

ments here expressed were those in reality entertained by Col. Morris, he subsequently changed his opinion of Mr. Clarke, as will be seen in his letter to Sir Charles Wager, dated May 10th, 1739.

Colonel Morris had no right to precedence, as, by previous orders from the crown, the chief authority on the death or incapacity of the governor must devolve upon the eldest councillor then residing in the province; and moreover, by his absenting himself for more than two years without permission from the governor, his seat in the Council had been forfeited.*

To this decision Colonel Morris took exceptions, and in a publication, entitled "Observations on the Reasons given by Mr. Hamilton's Advisers, for his detaining the Seals of the Province of New Jersey after the Demand made of them by Lewis Morris, Esq. President of the Council and Commander in Chief of the Province of New Jersey: In a Letter to a Friend"—he reviews at length the arguments advanced, with considerable ability, and transmitted a copy thereof to the king for his decision; but the discussion has but little interest at the present day. It does not appear that he attempted to exercise the authority he claimed until the receipt of certain instructions from England, addressed to him as president of the Council. Thus officially recognized, he issued proclamations,†

* Report in N. York Gazette, Oct. 25th, 1736. Rutherford Collection.

† One of these proclamations was to carry into effect the following instructions :

Instructions from the Queen Regent
Relative to the Introduction into the
Liturgy of the Names of the Royal
Family.*

CAROLINE R. C. R. Additional Instruction to Lewis Morris,
L. S. Esq., President of His Majesties Council and Commander in Chief in and over the Province of

Nova Cæsarea or New Jersey in America; or to the Commander in Chief of the said Province for the time being. Given at the Court at Kensington the First Day of June, 1736, in the ninth year of His Majesty's Reign.

Whereas His Majesty was pleased by His Order in His Privy Council of the 29th of April last to declare His Pleasure that in the Morning and Evening Prayers in the Litany and in all other Parts of the publick Service as well in y^e occasional Offices as in the Book of Common Prayer where the Royal Family is appointed to be particularly prayed for, the following Form and Order should be observed :

* "Guardian of the Kingdom," during the visits of George II. to his Hanoverian dominions

towards the latter part of October, which were denounced by Mr. Hamilton; who, under date of 29th of that month, authorized the apprehension of Colonel Morris as a disturber of the government. Upon this he wisely determined to refrain from any violent assertion of his presumed rights, and to abide by the decision of his Majesty.* That decision, upon a report by the Board of Trade, of 25th January, 1736, was against him.

The attention of the mother government was at this time especially drawn to the propriety of granting a separate governor to New Jersey by memorials from the Council, the speaker and members of the Assembly, grand juries, and individuals who, from patriotic or interested motives, were anxious for the change.† The influence of Colonel Morris, through the acquaintances he had made in England, was used to support the prayer of the petitioners, and to secure for himself the office. And although, on the 20th June, 1737, Lord Delawar was selected as successor to Cosby in both New-York and New Jersey, his commission was subsequently revoked, and Colonel Morris appointed

"Our Gracious Queen Caroline, their Royal Highnesses Frederick Prince of Wales, the Princess of Wales, the Duke, the Princesses and all the Royal Family." And to the end that the same Form and Order may be observed in all His Majesty's Plantations in America, These are in His Majesty's Name to authorize and require you to cause the same to be forthwith published in several Parish Churches and other Places of Divine Worship Within the said Province under your Government, and you are to take Care that

Obedience be paid thereto accordingly.

C. R. C. R.

* He however issued a proclamation as late as Feb. 8th, 1737, adjourning the Assembly; and under date of March 25th, 1737, President Hamilton complains of his disturbing the peace of the province.

† Among these Sir William Keith, Ex-Governor of Pennsylvania, appears as an applicant himself for the post, and in the hope of success he earnestly advocated the measure.

governor of New Jersey only. This was in February, 1738; and in the ensuing summer he entered upon his duties, publishing his commission at Amboy, on the 29th August.*

* Stevens' Index to New Jersey Documents.

P A P E R S
OF
GOVERNOR LEWIS MORRIS.

THE LORDS OF TRADE TO GOVERNOR MORRIS.

Whitehall, November 2d, 1738.

SIR :—We have received your Letter dated from the Perth Amboy the 11th of September last, and take this first Opportunity of congratulating you on the Post his Majesty has been pleased to honour you with, in which We doubt not but you will act in such a manner as not to lessen the Joy which the People have shewn upon the Occasion.

We also send you a List of such Queries, as are constantly sent to the other Governors in America, and desire you would once a Year let us have your Answers to them.

We have only further to acquaint you, that We shall expect that once in six Months, you send us over a List of such of the Members of the Council in your Government, as are either dead or absent, and that particularly with regard to the last, you specify from whom and for how long a time they have their Licence. And so We bid you heartily farewell, and are

Your very loving Friends
and humble Servants,

MONSON.
M. BLADEN.
R. PLUMER.

QUERIES TO LEWIS MORRIS, ESQ., GOVERNOR OF
NEW JERSEY.

What is the Situation of the Province under your Government, the Nature of the Country, Soil and Climate, the Latitudes and Longitudes of the most considerable Places in it, or the neighbouring French or Spanish Settlements? Have those Latitudes and Longitudes been settled by good Observations, or only by common Computations, and from whence are the Longitudes computed?

What is the Trade of the Province, under your Government, the Number of Shipping, their Tonnage, and the Number of Seafaring Men, with the respective Increase or Diminution within ten Years past?

What Quantity and Sorts of British Manufactures do the Inhabitants annually take from hence?

What Trade has the Province under your Government with any foreign Plantations or any part of Europe, besides Great Britain? How is that Trade carried on? What Commodities do the People under your Government send to or receive from Foreign Plantations?

What Methods are there used to prevent Illegal Trade, and are the same effectual?

What is the Natural Produce of the Country, Staple Commodities & Manufactures, and what Value thereof in Sterling money may you annually export?

What Mines are there?

What is the Number of Inhabitants, whites and Blacks?

Are the Inhabitants increased or decreased within the last ten Years, how much, and for what Reasons?

What is the Number of the Militia?

What Forts and Places of Defence are there within your Government, and in what Condition?

What Number of Indians have you, and how are they inclined?

What is the Strength of y^r Neighbour.^s Indians?

What is the Strength of your Neighbouring Europeans, French or Spaniards?

What Effect have the French or Spanish Settlements, on the Continent of America, upon his Maj.^{ty} Plantations, especially upon y^r Province?

What is the Revenue arising within your Government, & how it is appropriated?

What are the Ordinary & Extraordinary expences of your Government?

What are the Establishments Civil and Military within your Government, and by what Authority do the Officers hold their Places?

What further Encouragement may be necessary to engage the Inhabitants of y^e British Colonies on the Continent of America, particularly of those within your Government, to apply their Industry to the Cultivation of Naval Stores of all Kinds, and likewise, of such other Products as may be proper for the Soil of the said Colonies, & do not interfere with the Trade or Produce of Great Britain?

What Duties or Impositions are now payable by an Act or Acts of Assembly in the Province under your Government, on the Importation and Exportation of Negroes, Wines or other Kind of Liquors, or any Goods, Wares, or Merchandize and Shipping, distinguishing each Duty or Imposition?

It is desired, that an annual Return may be made to these Queries, that the Board may from time to time be apprized of any Alterations that may happen in the Circumstances of your Government.

GOVERNOR MORRIS, met the Assembly of the province at Perth Amboy, on the 27th October, 1738. The following are the names of the representatives returned:

For *Perth Amboy*—Andrew Johnston, Lewis Johnston.

“ *Middlesex county*—James Hude, Edward Antill.

“ *Monmouth county*—John Eaton, Cornelius Vandervere.

“ *Essex county*—Joseph Bonnell, Josiah Ogden.

“ *Somerset county*—George Van Este, Peter Dumont.

“ *Bergen county*—Lawrence Van Buskirk, David Demarest.

“ *Burlington*—Mahlon Stacy, William Cook.

“ *Burlington county*—Richard Smith, Isaac Pearson.

“ *Gloucester county*—Joseph Cooper, John Mickle.

For *Salem county*—William Hancock, Joseph Reeves.
“ *Cape May county*—Aaron Leaming, Henry Young.
“ *Hunterdon county*—Benjamin Smith, John Embly.

Major Joseph Bonnell, of Essex, was chosen speaker ; but no business was transacted—the governor directing their adjournment until the 13th November, on the 15th of which month he delivered his speech.

He complimented them upon the separation of the province from the government of New-York, and expressed his confidence that the favor thus shown them by his Majesty, evincing as it did his care for his remotest subjects as well as those under his more immediate administration, would produce in them suitable sentiments, for the manifestation of which a most favorable opportunity was afforded them.

A proper provision for the government was urged ; and they were reminded of a remark contained in their application to the Crown for a separate government—that they were equally willing and able to support a distinct governor—which had been one inducement to grant their request. In providing support for the officers of the province, they were recommended not to confound the station with the occupant, and allow ill conduct in the officer to lead to the destruction of the office by the withdrawal of proper compensation for the performance of its duties. It would be his pleasure to see that the offices were properly filled.

The Council were told that they met for the first time as a distinct part of the Legislature, separate from the governor and General Assembly ;* and urged

* This had not been the custom in the colonies, the governor usually sitting with the Council. The credit of bringing about this desirable change

appears to be due to Mr. Clarke, the acting governor of New-York, who introduced it in that province in 1736.

to a faithful performance of the duties thus devolving upon them, as well as in their relation to him, as his regularly appointed advisers.

The following passages are thought deserving quotation :

"I find a saying very much obtains, *That if a Governour will give the People good laws, they will support the government.* This supposes the Governour's making of those good laws (*viz., such as the People think so*) to be a condition precedent to their giving a support; and expressed in other terms means no more, than, *if the Governour will do his duty, the Assembly will do theirs*; and implies a negative; *that if the Governour does not do what they conceive his duty, the Assembly will not do theirs*; supposing the neglect or failure on his part sufficient justification for the like conduct on theirs. Was the Governour the sole legislator or lawgiver, and laws like other commodities to be purchased in open market, what is said would appear more reasonable than the present circumstances of things will admit it to be; but then the consequence would be, *that every Law must be paid for, and the more it was wanted, or desired, the higher would be the price.* * * * * Good laws generally take their rise from ill practices, and are made to prevent the like for the future; sometimes from well-grounded views of public benefit to arise by them; and it is the true interest of the chief Magistrate, not only to assent to such, but to propose them himself. * * * * To suppose that a Governour will deny his assent to laws of this kind when truly and properly penn'd, solely to answer such ends, and not clog'd with clauses of a different intention, is supposing that he will act against his own interest, as well as that of the community, which Governours (fit for such a trust) have seldom been observ'd to do.

"The passing of good and necessary laws, and the raising money for the public service sufficient to support the government in all its parts, I take to be equally duties, each independent of the other; and the last as much for the true interest of the community as the first; for unless the dignity of the Magistracy be supported suitably to their several stations, they can hardly escape falling into contempt." * * * *

He drew attention to the laws for the suppression of immorality, and to the necessity for their enforcement and amendment where necessary.

"It is a hard matter to mend a bad world, but the hindering men from growing worse than they are, is no small step towards it." * * * *
"All the moral virtues seem to be comprised under the terms of *Justice* and *Honesty*, and it is God only can make men so; but it is the business of the legislature to make it dangerous for men to be otherwise."

With a view to enhance the reputation of New Jersey he urged attention to the prevention of frauds in manufactured articles exported, and recommended direct importations as most conducive to the welfare of the community; a most favorable opportunity being afforded, under the new state of things, to raise the drooping head of the province.

The sitting of the Assemblies alternately at Perth Amboy and Burlington was adverted to and a change recommended, it being proper that a suitable place should be selected for the permanent residence of the governor and the location of the public offices; and he alluded to his own exertions in obtaining the separation from New-York in the following terms: "What endeavors have been used and proposals made in this province to obtain a distinct governor from that of New-York, you, or some of you, I believe well know. The thing is done, and at no small expense, which I persuade myself will be duly considered of by you."

The address of the Assembly in answer to this speech was not presented until the 16th December, although the committee charged with its preparation was appointed on the 22d November. It harmonized throughout with the governor's speech; but its fair exterior was marred in his estimation by a vote which had preceded its adoption, upon the question "whether the governor is entitled to a particular sum of money for the expense of procuring a distinct governor or

not?" This was carried in the negative, and, as this may be presumed to have been a test vote of the governor's strength in the Assembly, the ayes and noes are here given.

Ayes.—Messrs. A. Johnston, L. Johnston, Hude, Antill, Bonnell (speaker), Ogden, R. Smith, B. Smith, Pearson and Embly, 10.

Noes.—Messrs. Eaton, Van Este, Vandevere, Dumont, Van Buskirk, Demarest, Cook, Cooper, Mickle, Hancock, Reeves, Young and Leaming, 13.

The Assembly, however, closed their address by assuring the governor that the expenses incurred, when an account of them should be laid before them, should be considered "in a manner agreeable to the nature of them."

On the 31st January, 1738-9, the governor called the Assembly before him, and first adverting to the vote above mentioned, and denying that he had either in public or in private demanded any particular sum for the services he had rendered, having left the amount to be determined by them, proceeded to review his former speech; urging them, from considerations of gratitude to the king and in fulfilment of their implied promise, to provide a proper support for the government. That such might be expected from them, was to be inferred from the propositions made to Governor Cosby, through whose influence it was expected the separation would have been effected, he having been assured of the continuance of the same sum from New Jersey that he had previously received as salary, and, in addition, one thousand pounds, or more, to compensate for any loss he might sustain; arguing an ability on the part of the province which circumstances

had not altered. "I believe many of you," said he, "and all men who know any thing of matters of this kind, will readily agree with me that no man would have put himself to the charge of procuring such a patent, and moving his family among you, if he had in the least imagined it would have proved a hurt to his private fortune, which, by what I can as yet gather from your votes, and the conduct of many among you, it is very likely to do * * * * * But the thing is done. And, as it is your duty, so I mistake if you will not find it your best and truest interest, duly and properly to consider it and to *follow in this your day the things that make for your peace, before they be hid from your eyes.*"*

The manner in which a support to the government was to be afforded, through the operation of laws then in force by which money was gathered into the treasury, was made the subject of extended comment, and with some apparent effect, as the following day the House resolved itself into a committee to consider the Bill for the Support of the Government, which had not before been done, although nearly three months had elapsed since the session commenced. On the 15th February, the bill passed and was sent to the Council. A correspondence ensued between the two bodies upon the right of the Council to amend the bill; and eventually the Assembly was dissolved by the governor, on the 15th March, and thus terminated, unprofitably, the longest uninterrupted session which, up to that time, had been held in the province. The reasons for the dissolution, and the peculiar points in

* This rather blind threat and inappropriate quotation is again repeated before the close of the speech.

dispute between the Council and Assembly are detailed in the following dispatches.*

* As it will give some idea of the disposition of the Legislature, as well as of the measures which the condition of the province was thought by one or the other branch to require, the following list of the most important acts proposed at this session is given, together with their origin and the result of the action had upon them :

"For the more easy and speedy recovery of small debts." Assembly—passed that body, but not finally acted on in the Council.

"To debar any practitioner of Law, living out of the Province, to be an Attorney on record, in any action brought to any of the Courts of Record in this province." Assembly—lost.

"For the encouragement of the more direct importation of Merchandise into this province." Assembly—not acted on.

"For the support of the Government for three years." Assembly—passed 12 to 8; a conference asked by the Council and not granted.

"To lay a duty on Negroes imported into this province." Assembly—passed that body 20 to 2 (Messrs. Leaming and Young); no final action in the Council.

"For regulating Negro Slaves." Assembly—not acted on.

"For the more frequent meeting and Electing of Representatives." Assembly—passed both Houses.

"For shortening lawsuits and regulating the practice and practitioners of the law." Assembly—not acted on.

"To prevent White oak staves and headings to be exported out of the eastern division to the neighboring

provinces." Mr. Ogden of Assembly—leave not granted.

"For the Relief of the Poor." Assembly—passed 17 to 4; not acted on in Council.

"For the better enabling of Creditors to recover their just debts of such debtors who abscond themselves." Assembly—passed both Houses.

"For the better laying out, regulating and preserving public Roads and Highways throughout this Province." Assembly—passed 15 to 6; not acted on finally in Council.

"For continuing an Act for settling the Militia." Council—passed in the Assembly with an amendment, and no farther action upon it.

"To restrain Extravagant Interest." Council—passed the Assembly with amendments, but no final action upon it.

"To lay a duty on Staves and Heading of all sorts and Shingles." Council—lost in the Assembly, 12 to 9.

"For the relief of Insolvent Debtors under execution for debts not exceeding forty shillings, and to indemnify the respective townships from idle and vagrant persons coming there." Mr. Pearson of Assembly—leave not granted.

"For erecting the upper parts of the County of Hunterdon into a county." Mr. Embly of Assembly—passed, and the county named "Morris."

"For continuing an Act for the more speedy recovery of Legacies, &c." Council—passed both Houses.

"Declaring how the State or Right of a Feme Covert may be conveyed or extinguished." Council—passed the Assembly with an amendment. The

GOVERNOR MORRIS TO SIR CHARLES WAGER.*

Amboy, May 10th, 1739.

RIGHT HONBLE:—I acknowledge the hon' of yours of the 15th of Jan'y & 11th of december. I thank you for the favours express'd in both of them. My poor daughter is under the greatest obligation to you concerning her pension & if she recovers the great fatigue of attending a sick Husband (w'ch I am told kept her constantly out of bed (except three nights) both during the voyage and after it) she cannot faile of retaining those gratefull sentiments she is at present with so much reason possessed of.

I thank you for y^e favourable sentiments you express of my speech. I spoke my reall thoughts; and if a judgment was to be form'd of the assembly's upon it (w'ch was long a coming) and from the addresses from all parts of the Province, I had reason to Expect every thing I could fairly desire: but I cannot as yet say the success has answer'd to the Expectation, & whether it will or no requires some time to discover. There is so much Insincerity and Ignorance among the people, and with so rooted a Jealousy of their Governours & so strong an Inclination in the meanest of the people (who are the majority & whose votes make the assembly) to have the sole direction of all the affairs of the government, & to make the governour and other officers Intirely dependant on themselves, that it requires much more temper skill & Constancy to overcome these difficulties than falls to every man's share; & whether to be done most effectually

Council disagreed and the Assembly adhered. No final action.

"Obliging Sheriffs to give security and take oaths." Council—passed the Assembly with amendments. Disagreed to by the Council and the House receded, when the Council refused to receive the bill.

* This Baronet, with whom Governor Morris formed an intimate acquaintance when in England, and for whom he cherished a sincere regard, stood high in his profession. He was made a Captain for his gallantry at the battle of La Hogue. In 1707, he was sent with a command to the West Indies, where he defeated fourteen Spanish galleons with only three ships.

Queen Anne, as a reward for his distinguished services, knighted him, and promoted him to be an admiral. His generosity was equal to his heroism. The riches he acquired were regarded by him only as the means of doing good. He gave fortunes to his relatives that he might see them happy in his life-time, and to persons in distress his liberality was such, that whole families were supported and their interests guarded by him. He was chosen a member of Parliament for Portsmouth in 1709, and sat in every parliament thereafter until his death. He was placed at the head of the Navy Board in January, 1732.

ally by driving or leading them, is difficult to determine. Each of these have been successfull in their turns; & sometimes neither—The general-ity of them seem to have no very quick sence of honour or of shame and can beare with indifference enough the reproaches of departing from their words or engagements whenever they think it Improper to comply with them: so that their addresses like many others are not much to be depended on, being rather the sence of the drawers who furnish the words & Paragraphs & may be said to be as little understood as intended by the greatest part of the addressors; if their conduct afterwards be a reason sufficient to forme a Judgment on: of this their address to me (Inclos'd for your perusall) is a sample, & I should be glad I could truly say they had made it good in any one point: & here I must not omit doing the Justice to say that a majority of the house professed to be my friends & I am willing to believe an Equality of them were really sincere, & to them (who spared no paines) is owing w't has been done: tho many of their notions were too confined & narrow to do as much as might otherwise have been expected from them.

Had there been no greater obstacle y^a this perhaps time and conversation might have remov'd it; but there grew so great a rancour among the members that they shun'd the conversation of each other out of the house, and could not preserve the rules of common decency in it, descending to downright scolding, giving the lye, threatening to spit in the face & were (as I am informed) often very nigh getting together by the ears & seemingly, or really, so Irreconcileably divided that when any bill was proposed, tho a good one, by one part, it was opposed by the other purely for oppositions sake. This to some governours might not have been a dissadvantagious situation; but I did not think the governing by parties Eligible till I could not avoid the doing so & therefore used the differences rather as matter of diversion than otherwise, sometimes expressing a concerne that good men should be so angry with each other. This was their conduct during most of the time of their sitting which was very long: but before the close of the sessions there arose a difference between them and the Councill; & tho they were far from agreeing amongst themselves in other matters yet the majority of them seem'd to unite heartily against the councill in this: w'ch appearing to me of dangerous tendency I thought it necessary to dissolve them and not to suffer a controversy of that kind to go any farther. Inclosed you have my speech to them on the dissolution, with apparent reasons for the doing of it, but the true one was for this, their Extravagant and, as I thought, unwarrantable claim w'ch was the cause of this difference. The case stands thus. There are two acts passed in this province to strike paper bills of credit:

these two acts have had the Royall assent:—the reasons assign'd in the preamble of these acts are for Encreasing the currency of this collony, for the better enabling the inhabitants to support Government, discharge their engagements & carry on their trade. In order to do these things, this money is let out to Interest, and the Interest arising from it to be yearly paid in to the treasurers of the Province & by these acts this Interest money so paid to the treasurers is to be *dispos'd to & for the support of the government in such sort manner & forme as by the Governour Councill & Generall assembly, shall be directed*—By these acts the money arising by the Interest is given and apply'd to the support of the government and to be dispos'd of for that purpose; but how & in what manner (that is (as I take it) how much to the governour, & how much to other officers & for other services, is left to the direction of the Governor Councill & Assembly for the time being to agree upon. Whether this was to be done by agreement without an act of the Assembly, or by an act, might admit of debate; but whether or without an act, the council were of opinion that both they and the governour had by virtue of their acts as much right as the assembly to direct how & in what manner money long since rais'd & paid into the hands of the treasurers for the support of the government should be apply'd to that use. The assembly indeed, when they rais'd any money by act, have pretended a right not to admit the council to amend a money bill & the council on the other side have insisted on a right to amend any bill if they thought fit; tho they often declin'd doing of it rather than hazzard the support of y^e government: but this they took to be a quite different case, because, by the express words of the acts w^{ch} rais'd the money, both governour & council as well as assembly were Impowered to direct in the disposition of it: however to avoid as much as might be any dispute on that head, the Council did not proceed directly to make the amendments they thought necessary, but desired a conference with them on the subject matter of the bill. The assembly naturally enough concluded that the Council Intended by this conference to propose some amendment to the bill then sent up for the Support of the Government, & not only refused to confer with them, but declared it to be inconsistent with the Interest of the Province & the privileges of the house to admit of any alterations to be made in it. This they might have said if they had so pleas'd with respect to any other bill or all bills & would have been, if persisted in, a totall exclusion of y^e Council w^{ch} has always been & still is one of the branches of the Legislature by His Majesty's letters Patent; & whatever pretence they might have had with respect to a bill raising money upon the people, they had not the least collour for doing it in a bill w^{ch} was only

made for the application of money already rais'd and in the treasury, & w^{ch} by virtue of y^e acts that rais'd it was to be apply'd by the direction of the governour & Councill as well as themselves.—The excluding one of the branches of the Legislature I conceived to be a matter of too dangerous a tendency, & too open an attempt on the constitution, for me to let pass unnoticed, & I perswade mysef that my conduct will on this head be approv'd by my superiors. In Pensylvania they have a Councill to advise the governour, who, as I am told, have no voice in the Legislation, & their neighbours in this Province may for ought I know be fond of such a constitution; as being one great step to render a governour Intirely dependant on the people & the tool of their purposes, w^{ch} are not allwaies the best or most beneficiall for themselves: but untill his Majesty thinks fit to make that the constitution of this government, it seems to me an unwarrantable step in the assembly to attempt it by a power assum'd to themselves, & to be too like a vote formerly in England that made the house of lords useless:—but of this his Majesty and his ministers before whom I am obliged to lay this conduct will be the best Judges, & what is fit to be done.

The Board of Trade in a letter of theirs of y^e 13th november 1711, when the Assembly of New York Insisted that the Councill could not amend a money bill, say that pretence is groundless and will not be allow'd of in England, the Councill having an Equall right with them in granting money, there being nothing in her Majesties Commission under y^e great seale to the contrary, by virtue of w^{ch} they only sit as an Assembly—I make no question the members of the present board will be of the same Opinion, & that if the Assembly's pretence that the Councill could not amend a money bill was groundless, the pretence of excluding of them totally from making any alteration in the disposition of money allready rais'd, (& by Express words of the acts that rais'd it Power was given to the Councill equally with the Assembly to direct in the disposition of it) is much more groundless & unreasonable.

I am sorry to say that some of the people call'd Quakers were very strennuous on this head against the Councill and were very much the occasion of carrying things to this length; but as many of the members of that perswasion in the house were very much & sincerely my friends, I would hope that if some of their friends in England would, by letters, hint to them the danger of this Conduct, the warm & heady amongst them might be prevailed upon to become more moderate and to desist making of claimes w^{ch} I think can never be granted:—but that I submit.

The disposition of the people, their Jealousies of all Governours and their strong endeavours to render them intirely dependant upon them-

selves, tho' too notorious is not Peculiar to this province only ; it Increases as you go farther Eastward & I think is rather more in New York than here, but with this difference that the Generallity here pretend a great liking and affection for their Governour : but there not. Mr. Clarke who really is a man of understanding (& who I think has behaved very well & with exceeding temper) has not been so fortunate as to gain upon the affections of the people who Deem him a man of much art, but suspect his sincerity & add to their generall Jealousy of all governours a very great suspicion of him in particular ; the Generallity of those who liked Mr. Cosby's administration did firmly believe he was the director and adviser of all Mr. Cosby's measures, & tho he deny'd he was so, and charged all their missteps to the account of Coll^{le} Cosby's lady, and took quite different measures in his administration, yet his denyall did not obtain so much credit as was expected. On the other side, the partizans of Mr. Cosby's administration, whether it was from disappointment of Mr. Clarke's not entring into their measures with so much warmth as they expected he would, or for what other reason, began seemingly or really to grow cool towards him, and after that so violent against him, as to exceed all manner of decency in the opposition they made :—they upbraided him in all Companies, & some of them, as I have been told, went so far (of w^{ch} it is said the brother of the Chief Justice was one) as to come close to the fort walls, when his lady and daughter were walking upon the ramparts to abuse them in a most vile manner. * * * * * Mr. Clarke prudently declining to take any notice of this, confirmed the others in the opinion they had entertained that this defference was all pretence, & that he was embark'd in the same bottom with them, or would have taken notice of this & twenty other Instances of mall treatment he had received and had been given to others, w^{ch} they said might have been effectually done by changing a sherrif made by Cosby w^{ch} he had been petitioned by hundreds to do, but would not, & which sherrif generally returned some of these rude people on the Grand Jury.

The dissolution of the last assembly, which had done more than he could have expected of them, farther confirm'd these suspicions, for tho the opposite party had by methods not, as is said, altogether Justifyable, got one of their party into the house in the room of one of the other y^t dyed, & had gained some of the members, yet they soon lost them & there began to appeare a disposition to peace & settlement, but the sudden dissolution put a stop to its being done by those hands. I was an Intire Stranger to the thing ; being not at all advis'd with about it, nor do I learn y^t my son was, & was much surprised when I heard it, being a misterious piece of conduct which none could account for but those let

into the secret. The prevailing Opinion was that he had now thrown off y^e mask & was sure of the other party: and his speech to them since confirms them in that Opinion, w^{ch} they say would not have been what it is, if he had not well known who he had to deal with: For my part I hardly know what to say about it: he may possibly succeed: but I very much question it. If those suppos'd of his party are not very great masters of dissimulation, nothing has been left untried by them to bring in men very opposite to his Interest, & should those let into the secret (if such there be) pretend to change opinions & decline pressing in the house the arguments of a halfe sallary being sufficient, and that for one yeare for a Lieutenant Governour, w^{ch} were the popular topikks they made use of to get themselves & others chosen, I doubt much if they would succeed; but that, a little time will discover.

I have been the more full on this head on the score of the letter you hon^{ed} me with of the 15th of Jan'y. I cannot easily Express the Obligations I think myself under to you & am sensible of those I owe to Mr. Walpole & would be gladly serviceable to Mr. Clark or any friend of his or yours. I wish it was as much in my power as inclination to reconcile & put an end to the animosities in New-York in such a manner as would make them friends to the Governour and Government as well as to one another; but that, considering the generall Inclinations of the people, requires greater talents than I am master of, & Mr. Clarke has too great a knowledge in the Seyence of Government to need my advice should he condescend to ask it. Time may discover strange events, but if I can forme any judgment from the present face of things, that Government will be in no likelyhood of settlement unless a Governour in Chief is sent among them, and he should be, as I think, one of no mean abilities that can succeed in so difficult an undertaking without the aid of the British Parliament:—but I feare I say too much.

Our Assembly have settled a support for three years, and would have it believed that they have done wonders. My share of it is £1000 per annum, w^{ch} was about £600 Sterling but it is now about £550 Sterling & my whole perquisites will not exceed £70 Sterling per annum, if it comes up to it. The other officers of the Government are so scantily provided for that they can scarce performe the services that are required of them, & at the same time there is sufficient in the treasury for an ample provision for all of us. The Assembly thought that in this support they had made an ample provision for me, or would have it thought so by others; but unless they mend their hand I can't see that I can lay up any thing by it. This holding of the Sessions of Assembly in two different places & keeping two Secretaries Offices, Causes an Encrease of Expence

& is inconvenient to the Inhabitants, of w^{ch} they are sensible, as may be observed from their address to me. The Instruction obliging to that was a Concession the Crown agreed to upon the surrend^r of the Government; but it being on all hands agreed to be inconvenient, & the circumstances both of things & of the proprietors' Interests with respect to their Scituation being now very much alter'd, the reasons of it doth not now continue the same it was; & I am in hopes his Majestie may be induc'd to leave that matter to the Governour & Council.

I have wrote a book instead of a letter, but believ'd the being particular would give you the best accounts of things, so as to enable you to forme a Judgment of them, and am Sir your most obliged, &c. L. M.

TO THE RIGHT HON^{BLE} SIR CHARLES WAGER first Lord Commis. of the Admiralty & one of his Majesties most hon^{able} Privy Council.

Went by Bryant.*

TO JOHN CLARK, BOOKSELLER.

Perth Amboy, May 25th, 1739.

* * * * *

SIR:—I should be glad to do any friend of yours a service, and believe Capt Thomlinsen a diligent capable person, but there are two or three things in the way. One Partridge† was Agent before I came to this gov-

* William Bryant was a distinguished navigator of the times. He died in 1772, in his 88th year, having made fifty-five voyages between New-York and London. He bore a high character for sincerity, temperance, integrity, benevolence, and unaffected piety. His monument, in a dilapidated condition from the effects of a cannon-ball in the Revolution, is yet standing in St. Peter's Church cemetery at Perth Amboy. A daughter of Capt. Bryant's became the wife of William Peartree Smith of New-York and subsequently of New Jersey.

† Richard Partridge. Through what influence he secured his appointment is not known. He seems to have been a man of very ordinary abilities, pos-

sessing good business habits, but no force of character, and gave little satisfaction to Jerseymen in England. It will be seen that he occasioned considerable uneasiness to Governor Morris, for being regarded as the agent of the Assembly, and not of the provincial authorities, he naturally sided with those to whom he had to look for his salary. He continued in office until his death in 1761, when he was succeeded by Joseph Sherwood. He was a Quaker by profession and a merchant, pursuing his business as such besides attending to his agencies. It was mainly through his influence that Gov. Belcher, who was his brother-in-law, obtained his appointment.

ernment, made by the Assembly, by what authority I know not as yet, and he still continues on that footing without a new appointment. 2d the thing is such a trifle,—about £46 Sterl per annum, as to be worth nobody's acceptance. 3d I am under a sort of pre-engagement to Sir Chas Wager's secretary, to whom I am in a particular manner obliged, should the thing be in my Gift, which whether it be or not I cannot at present say. So much for that.

I have underneath sent a Catalogue of Books if you'll please to send them it is well; but if you do not I shall not be displeased being conscious to my self how dilatory a pay master you have had of Sir, &c.

Boulan Villiers parliaments of France

Miltons Works. Two volumes

Fletchers Political Works

The Religion Essential to Man by the author of the world unmasked

High flown Episcopacy & Priestly Claims Examined in a Dialogue between a Country Gent & a Vicar

Hamilton's Account of the East Indies

Hales History of the pleas of the Crown 2 voll fol:

Farresly reports of Chief Justice Holts Cases I do not mean a book call'd Modern Cases by Farresly printed in 1716, or another of that title printed in 1713, which I have already, but a new book which I find advertised.

History and Practice of the Court of Common Pleas

Do of the Court of Exchequer

A New Hebrew Grammar, in English.

A review of the Controversie about the meaning of Demoniacs

An Arabic Grammar, if to be gotten

Oldmixons History of the Stuarts

Millars Gardiner's Dictionary

To Mr John Clark book sellr under the Royall Exchange at y^e bible

TO THE LORDS OF TRADE.

Perth Amboy, May 26th, 1739.

MY LORDS:—I acknowledge the hon^r your L^{ts} of y^e 2nd of November* and hope my conduct has and will be such as will receive your Lordships' approbation; or if I make any mistakes (which shall not be willful)

* On p. 31.

your favourable censure. I shall obey your Lordships' commands in making the best answer I can to your Lordships' desires, when I have time to consider them and shall at present speak only with respect to the first Query. Sandy hook lyes in the latitude of 40 & 20 or 21 north. Perth Amboy in y^e latitude of 40 & 30' about 20 miles west northerly from Sandy Hook & the longitude of 5 hours west of London. These latitudes and longitudes are by computation from severall observations made at New York in y^e years 1721, 1722 of the meridional altitude of the sun for the latitude & of the Immersions & Emersions of Jupiter's first Satellite for the longitude. By these observations the latitude of New York was computed to the 40° 41' & the longitude 4 hours 59 minutes west from London.

As to Councill^r dead or absent. There is no Councill^r that I know of absent from New Jersie, but James Allexander, who lives in New York and is now building a large house there: this will require his attendance this summer. I tacitly consent to it, but have given no particular leave either verball or under hand for any particular time.

Robert Lettis Hooper, one of the Councill and Chief Justice of the Province, dyed this winter & by the unanimous recommendation of the Councill (as will appear by their Journalls) I appointed my son Robert Hunter Morris, one of the Councill, Chief Justice in his stead; the Sallary is not 90£ Sterling per ann, and Exchange dayly rising it will be less, & the perquisites a trifle. The Assembly who were then sitting would have also recommended him, & I am told expected to be ask'd, but that I did not think propper to do; they being too willing to make use of any handle to claim it as a right of doing so. John Hamilton Esqr Eldest Councill^r had the Second Judges place, about £24 Sterling p ann: w^{ch} he resign'd, the salary being so small as would scarce maintain a foot-man, & I appointed the late Speaker of the Assembly* in his Stead who had been as serviceable as he could, but I believe he will resign too for y^e same Reason. Coll^o Cox the third Judge of the Supream Court dyed about three weeks since. There is no sallary anex'd to this office & I have not as yet appointed any body in his stead. The Quakers seem desirous of having one of their own Perswasion. Perhaps that may be a means of fixing a Sallary for y^e office, but a third Judge not being absolutely necessary, I suspend the making of him some time to see how they will behave in an Assembly now choosing.

Pursuant to Instructions I send Inclosed with this one copy of the Laws pass'd last Sessions of Assembly. The Journalls of Councill & As-

* Joseph Bonnell.

sembly are transcribing and dayly Expected for your Lordships & if not timely enough done to go by this Conveyance shall be sent by the next that offers.

The Assembly have with much ado been prevailed with to support the government for three yeares & would have me and every body else believe that they have in this case done wonders, & Indeed considering the too generall Inclinations of the people in these parts of America to render all the officers of the government so Intirely dependant on y^m as to make them become subservient to their purposes (w^{ch} are not alwaies the most beneficiall for themselves) what they say is not unlikely to gain credit among too many of their Electors: but I perswade myselfe that your L^{ps} will be of opinion with me that, this wonderfull Support is wonderfully small and not agreeable to the addresses to his Majestie or sufficient to answer the end that should be intended by it. The governors £1000 pr annum in what they call proclamation money (which is their paper bills) is about £550 Sterling, w^{ch} may perhaps with frugall management discharge the necessary expenses of a family, but will not much exceed. The provision for the other officers are much more disproportionate & so small that they can hardly subsist upon. They would perswade me to believe that the smallness of the provision made for me is a mark of their affection & esteem, & that a larger sum & such as would be thought suitable to the station might tempt some man of more interest to obtain the government. You see my l^{ords} y^t they want not their crafts: but one of them (a weaver by trade), speaking among his partizans of the officers of the government, seemes to me to have given the true reason not only of the conduct of this Assembly, but of most others to the eastward of us, viz. let us keep the dogs poore and wee'll make them do what we please.

The method of supporting the government in Pensylvania is (as I have been inform'd) by the Assembly's making presents to the governor, sometimes more and sometimes less, as the humour takes them, or the influence of his friends prevaile, or as he has been more or less plyant to their purposes. This is a method the people of Jersie would come into, and are not very Inclineable to the coming into a support for above a twelvemonth, & that such as they think propper, which would be doing the same thing, & be in the nature of a present under the name of a support, & I think make the officers more dependant on y^e populace and their support more precarious than is consistent with their stations. All I could get tho I labour'd the point (as your L^{ps} will see by the Journalls when sent) was a three years support, much short in quantity of what was reasonably expected & of what they were able, and (I will add) oblig'd to do. The

Councill who (as I take it) have as much to do in this affaire as themselves, would have made more suitable alterations to their bill; but knowing their pretence that the Councill had no right to amend a money bill, tho the Councill Judg'd this pretence groundless on any account, & that this was not in its nature a money-bill—that is, a bill for w^{ch} money was to be raised upon the subject and given to the Crown—yet in order to keep up a good correspondence between the houses & to prevent as much as possible a rupture between the two branches of the legislature, the Councill sent to desire a Conference with them on the subject matter of the bill. This the Assembly refus'd; Insisting and (after severall messages pass'd between them) Persisting in it that it could never be for the Interest of the Province nor consistent with the privileges of their house to admit of any alterations to be made to that bill.

I beg your Lps to be informed that there are two acts of the Assembly of this Province that have had the Royall assent now in force for the making bills of credit: the reasons assigned in the Preamble for making of them are the better to enable the Inhabitants to support the Government & pay their debts. This your Lps may observe from the Coppies of them in your office. These paper bills (call'd paper money) are lent out to the people at an Easier Interest than they can have it elsewhere; & the Interest arising by them is appointed yearly to be paid into the treasury and by those acts apply'd to the support of the Government: but to be disposed of to & for y^e use *in such sort manner & forme as by the Governour Councill & Generall Assembly shall be directed*. Whether this was to be done by act or by agreement yearly among the parties authoris'd to direct the disposition of it, might admit of debate; but what way soever it was to be done, both the Councill & the Governour, were by the Express words of the acts Equally Impowred to direct in the disposition of it with the Assembly. As by those acts a sufficient support for the government was rais'd and apply'd for y^e use, and there was and yearly is paid into the treasury for that end, so by those acts no other authority was given to the Governour Councill and Assembly but to direct the *modum disponendi*, viz., what part of it should be given to Each of the officers of the Government for their sallaries and what part of it should be appli'd to the other uses of the Government; & the bill then under debate was not a bill to raise any money (tho' if it had, the Councill had a right to amend y^e as well as any other) but a bill in its nature to direct in what manner money allready rais'd should be apply'd to the purpose it was rais'd for: this is confess'd in the preamble of the bill now sent your lordships: tho' in the first Enacting Clause, the Assembly take upon themselves to say (I think improperly)

that it was then Cheerfully given to his Majesty: in order as appear'd by their after conduct) that they might call it a money-bill & under that groundless pretence take to y'mselves the disposition of that money as they thought fit, exclusively of both the Councill & the Governour, Contrary to the Expreste words of the acts I have mentioned, & w'ch the Preamble of the Act now sent refers to.

The dangerous tendency of this bold step, to call it by no worse name, is so evident to your Lps that I need not observe much upon it. I did not think it consistant wth my duty & the trust his Majestie repos'd in me to let it pass unnoticed, & therefore to check it as much as I could in the bud I dissolv'd them, & submit it to your Lps Judgment. Inclosed is my Speech to them on their meeting & that on their Dissolution & their address to me, w'ch they have not come up to in One point. The Country are, or pretend to be, generally dissatisfied with their Conduct, & I am in hopes the Assembly we now are choosing will come with better dispositions than the last, because of the generall cry against them, tho' we should have many of the same men. Every Assembly are for making the Officers of the Government intirely dependant on them, & the meanes us'd to obtain this end is to deny the Councill making any Amendments to what they Call a money bill, w'ch tho' groundless answers the end full as well as if the pretence was never so well founded; nor do I see how it will or can be otherwise (unless his Majestie will Condescend to apply for aid to a British parliament with regard to his plantations, most of the Inhabitants of w'ch this way having the same dispositions,) for should the Assembly admit that the Councill have a right to amend, yet they will tell them, they are not oblig'd to agree to the Amendments the Councill will make & the same difficulty recurs; they generally having Obstinaey enough to persist against the force of the most Cogent Reasons when they want Inclination to be convinc'd: but with respect to the two acts I have mentioned, the case seems to me to be something otherwise, or to be capable of being made so.—The Interest arising and yearly paid into the treasury from the money lent by virtue of those Acts, will for many yeares support the Government, sufficiently, but on this there arises some difficulty. First, this money is not said to be given to the King; but to this I answer it being given for & to be apply'd to the support of the government is *ex vi termini* tantamount. Second, it is asked whether all or part of it must be apply'd, but to this the answer seems easie, all being given to that use all must be apply'd to that use. Third, if all: in what manner? Whether as it yearly comes in or otherwise? for during the first 8 yeares of the time it will be rather more than enough and towards the end less than sufficient: this is a difficulty, and for that reason was left to the parties men-

tioned in the act to direct in what manner: but, as I take it, it must all of it be apply'd in some manner or other, or the Government will want support when there is money in the treasury sufficient to do it w^{ch} would be inconvenient. But the greatest difficulty remains, viz: Fourth, whether it be absolutely necessary that all the parties appointed to direct the manner of the disposition should agree in the doing of it, or whether the Majority agreeing be sufficient? if all, then any one dissenting defeats the whole thing:—if the majority: any two agreeing will be sufficient. It is urg'd strongly on the one side, that when a thing is appointed to be done by three, the whole number must Joine in doing of it, or it will be void when done. It's said on y^e other side that, true it is when the thing appointed to be done may be done or left undone, but when a thing must be done, the case is otherwise: for then the majority agreeing will Justifye the doing of it; otherwise it would be in the power of any one to defeat it, w^{ch} was not intended to be done. They say further, it is self Evident that the legislature, when they made those acts, by appointing money to be yearely paid into the treasury for the support of the Government, must have intended that it should be yearely apply'd to that purpose, & could not intend that it should be in the power of any one of the parties to whom they left the disposition, to prevent the doing of it & consequently render ineffectuall one of the great purposes, if not the Principall, for w^{ch} those Acts were made; that the words of all laws whatsoever, must be construed in such a manner as to render them effectuall, to answer the ends & purposes for w^{ch} they were made & not so as to defeat, evade & elude them; w^{ch} the dissent of one party could do if all their assents were absolutely necessary.

Which of these Opinions is right is humbly submitted to your Ldps & the learned in the Law. I know w^{ch} I would have to be so: & this I take to be certain; that if it is to be done by act of the Legislature (as things are now circumstanced) both the Governour and Councill must agree to such disposition as the Assembly (w^{ch} is but one of the parties) will please to make, or the Government must be wholly unsupported & no disposition made in any manner.

His Majestie, by his Instructions to former Governours, directed that there should be 12 Assembly men Chosen for the Eastern & 12 for the Western division of New Jersie; & that neither the number of them should be encreased or diminished, nor manner of electing altered, but by act or acts of Assembly confirmed by his Majestie, his heirs & successor. The first part of the Instruction with respect to the number is continued to me, but the last part with respect to the enlarging or diminishing of them & manner of electing is wholly omitted, by w^{ch} I understand that his Majestie is not against augmenting number, w^{ch} will, as the country

settles, become necessary : but that if any addition be made to the present number of twelve, the Increase should be equally made in both divisions, so that the number of representatives in Each division should be Equall. If I do not rightly apprehend it, I hope your Ldps will inform me. The reason of my mentioning this is, that among the other Acts herewith sent, there is one for the Erecting of a new Countie in y^e western division call'd Morris Countie, in w^{ch} act their having representatives is suspended till his Majestie declares his pleasure in the Case ; w^{ch} I humbly recommend to your Lps to advise may be done in their favour, because that being an addition of two members to the Western division, I can with his Majestie's leave add two in such part of the Eastern division, w^{ch} I shall Judge most conducive to his Majestie's service. As this new Countie is scituated, I am in hopes I shall by that means be able by this addition to prevaill upon them to raise money for the building of a house for the Governour, (there being none yet) & conveniences for the Seat of Government, & put support of the government upon a better footing.

The present method of alternate Sittings of the Assemblies & Courts, & keeping two Secretaries, Offices being Very inconvenient and burthensome to all the Officers of the Government whose small Sallaries renders them scarce able to keep one office well, all parts of the Legislature agree the thing to be inconvenient, & would have it fixed at one place ; the choice of w^{ch} the assembly has left to me, but that will signifie little unless they make suitable provision for it.

There is but little, if any, Gold or Silver in the province, their whole Commerce both among themselves and with their neighbours being manag'd by means of Paper bills of credit, of w^{ch} there are about 60,000 now current, and in the yeare 1741 it will begin to sink and grow yearely less, but the whole Quantity I am told is not sufficient for the Uses of the Province, & that the People will soon be very pressing for more : in such case it is not Improbable that to gaine their Ends they will come into the measures of the Government, & make its support both better & more certain than it is at present.

By his Majestie's Patent I am Impowered to act with three Councill^{rs}, tho' by his Instructions restrained to five, unless in cases of Extraordinary necessity, but their habitations are so remote from each other that at this place I cant get above three together, unless I send 23, 30 & 40 miles for them, & at Burlington there are three pretty nigh together, but the rest must come 40, 50, 80 miles to meet, w^{ch} is not convenient : so that it is no small difficulty to get a Councill of five or more together & to keep them together when they are met. But I am in hopes when the seat of the government is fixed this may in some degree be remedied.

The distance of the habitations of the Council from Amboy & Burlington & from each other may be pretty well guess'd at by the following list. Burlington is distant from Amboy 48 miles west southerly.

A LIST OF THE COUNCILL OF NEW JERSIE.

For the Eastern Division.

James Alexander, dwells at New-York
 Cornelius Van Horn, dwells in y^e Eastern division about 22 N. W. from Amboy
 Will^m Provost, in y^e Eastern about 35 miles N. E. from Amboy
 John Schuyler, about 24 miles N. E. from Amboy
 Robert Lettice Hooper, dead
 Robert Hunter Morris, } in Amboy
 Fenwick Lyell, }

For the Western Division.

John Hamilton, dwells in the Eastern division at Amboy. I know not of any Estate that he now has or ever had in y^e westⁿ division.
 John Wills, a Quaker, about 6 miles Westward from Burlington. He is an old man, goes double and cant attend, unless at Burlington, wth difficulty.
 John Reading, about 40 miles from Amboy and as many from Burlington.
 John Rodman, a Quaker, about 3 miles from Burlington
 Rich'd Smith, a Quaker, in Burlington.

I have been as particular as the time would permit me to be & hope I have not given your Lps any needless trouble, & y^t your Lps will approve of what I have done & represent to his Majestie, in the most favourable light the conduct of

My Lords &c:—

To the Board of Trade

TO THE DUKE OF NEWCASTLE.

May 26 1739

MAY IT PLEASE YOUR GRACE:—With this I send transcripts of the Laws pass'd in New Jersie this last sessions of Assembly, as I am directed

by his Majesties instructions, wth my Speech to them on their meeting and the Councils and Assemblies address to me, w^{ch} last I should have been glad to say the Assembly had made good. I send also a Joynt address from the Council and Assembly to his Majestie, w^{ch} I humbly Intreat your Grace to lay before him. The Journalls of the Council & Assembly are transcribing but I feare will not be done timely Enough to go by this conveyance but shall be sent as soon as I can.

The Council have behav'd wth a moderation resolution & prudence, suitable to their stations. By the Laws in force, there is yearly paid into the treasury money sufficient to support the Government in a much better manner than is now done; for about eight or ten years to come this money is to be dispos'd of for that use, in such manner as the Governour Council & Assembly shall direct; but the Assembly would by no meanes permit the Council to direct it at all; or to make any alterations to what they had proposed on the pretence that it was a money bill to w^{ch} no alterations ought to be made—tho by the express words of the acts that raise the money & which have had his Majesties Royall assent, the Council are as much empowered as the Assembly to direct in the disposition of it. This, as I conceiv'd, unwarrantable conduct in the Assembly, I Judg'd to be of too dangerous a tendency and therefore thought it proper to dissolve them. I have wrote this matter very fully to the board of trade & will not trouble your Grace with a farther repetition of it.

I send with this my speech to them on their dissolution, and Presume to hope that his Majestie will be graciously pleas'd to approve of my conduct on this occasion.

Among the acts herewith sent, there is one to Erect the northern parts of Hunterdon County in the western division into a new County by the name of Morris County. Their having of representatives is suspended till his Majesties pleasure is known on that head. If his Majestie should think fit to grant them that favour it will be adding two representatives to the western division more than the eastern has: but if his Majestie will give me leave to add two to the Eastern division in Such place or places as I shall Judge most proper, to make them equall, (as by his Instructions it seemes to be intended they should be,) such is the scituation of this new County, that I am in hopes by the addition of these four members to put the support of the government upon a better and more certain footing than it is at present; & to get money rais'd for the building a house and conveniences of a governours Residence, sitting of Assemblies &c all w^{ch} are very much wanting.

I entreat your Graces favourable representation of my conduct to his Majestie, to whom I wish many dayes & much happy ones: his appro-

bation of it, when known here, may be one meanes of preventing and discouraging this and other Assemblys from making attempts of this kind for the future.

I am &c L M

To the Duke of Newcastle

TO MR. GASHERIE, SECRETARY TO SIR CHARLES WAGER.

Perth Amboy, May 27th, 1739.

SIR:—I thank you for yours of the 18th Novem^r 1738. I remember to have been in a great hurry at the time I receiv'd it and whether I made an answer to it or not, I cannot charge my memory; but this I know that I wrote you by one Gill and sent you a bill of Exchange for £75 Sterl by whom I sent also two casks of cranberries, for Lady Wager, to Peter Collinson. It seems this man was to touch in Ireland, which I did not know till he was gone, and whether the Bill or Cranberries came to hand I do not yet know.

The Bill ran no great Hazard by the length of the passage and I think cou'd not well Spoile, and, if miscarried, a second Bill can supply the defect, which is here inclosed, but as for the cranberries the case is not the same, for if they came to hand I fear they were at that time good for nothing; tho they were the best of the kind when shipp'd and cant be supply'd (if acceptable) till the fall ships, which I shall be glad to do if good Lady Wager likes fruit of that kind.

Both my son and I had the affair of the Agency of New York very much at heart, and were not without reasonable hopes of finding some proper opportunity to effect it: but the sudden dissolution of that Assembly, in which we had many friends, has quite chang'd the face of things. My son got in in spite of all the opposition was made against him; as he always can do: but what influence either he or Mr Clark (between whom there is a seeming fair correspondence) will have in the House I cant as yet guess. The Assembly are for naming the agents themselves, and that is a point Mr Clark is not at all inclin'd to give up; and if the Governour names him the Assembly are not for paying him. Mr Clark is for Leheup, but the Assembly do not or did not by any means like him, thinking his last accounts too extravagant, and for that reason wont pay his account: so that between them it is a question whether they will have an agent or not.

Here, there is a trifling Sallary of 80 pounds, this money, per annum settled for three years for the agent, which at present is one Partridge

(you know the man). By what authority he was made I do not as yet know; or whether by any, the majority seem to dislike him and call his accounts extravagant because he Charges money for paying Councils fees, when I think he owns none was employed, but that he perform'd himself, and therefore entitled to the fee.

I think as matters stand I could name the agent and he would be paid the Sallary; but then, if they did not like the person, if he should be at any expense it may be questioned whether they will pay his accounts; for which reason I forbear doing of any thing till I see whether I can adjust matters with them on that head; but if you get the agency of New York, they here wont like to employ any one that is so, and that, of the two, I take to be the better Employ; but I will endeavour to persuade all that I can that it is really the Interest of this Province, as I firmly believe it is, to Employ you. I think the getting of a Vessell Stationed here will not a little contribute to it. I wish I could say the conduct of the Assembly deserved it, but they are not unlike other Assemblys which taken in *cumulo* may not undeservedly acquire a bad name; which however, have many worthy and good men among them, who dislike the behaviour of their fellows and would prevail on them to do better if they could. The thing will be of use to one of the corps and to the Province: and if I could avoid it I would not have it said that New Jersie is the only Kings Government without one. If I should say it might be a means of preventing much of what they call smuggling by the mercantile people of New York who, (I am told) unlade their vessells in Sandy hook bay and with smaller vessells Import into that place prohibited Goods, as Powder flour Holland, &c I believe I should not be much out of the way.

Tho' your hopes were not well grounded concerning Capt. Norris's* recovery at Bath, yet what you say of my Poor afflicted Daughter,—that tho' she had no relations in England yet would in Case of his Death meet with many friends who lov'd her—Sir Charles and Lady Wager's kindness to her and notice of her confirms. The pains she took and endured to preserve him I am very much afraid has gone great lengths to destroy her-self; and I cannot enough acknowledge my Obligations to Sir Charles and Lady, whose kind notice of her I take to be the great means that preserv'd, and still keeps her among the living, if she be still amongst them.

I have ventur'd to trouble Sir Charles with a very long letter con-

* His son-in-law—second son of Admiral Sir John Norris, who died in December, 1738.

cerning the Conduct of those I have to do with here. I have sent pretty nigh the same account to the Board of Trade &c whether they will approve or condemn my behaviour is what I cannot say; perhaps they have too much business upon their hands to take notice of any thing here; but Sir Charles being particularly inform'd will be Enabled to speak to it if there shou'd be occasion. I think I have acted rightly, but if my Masters think other ways I must endeavour to trim my sailes according to the wind. I wou'd be glad to know his Sentiments upon it which if he will give will be a favour and direction to Sir,

Your very humble servant.

Mr. Gasherie.

TO THE LORDS OF TRADE.

October 4th, 1739.

MY LORDS :—I send with this a Coppy of the Journalls of the Council during the last Session of Assembly, and a printed Coppy of the Journalls of the Assembly: the printed Coppy was not done, nor could I get the other transcrib'd timely enough to go by the conveyance w^{ch} brought your Lps the Acts of Assembly pass'd that Sessions. Your Lordships will see in Page 32nd &c. the paines I took to prevaile on them (not to raise a support for the government but) to apply money already rais'd & paid into y^e Treasury for that purpose :

Your Lps may also see by the Journalls of the Council of March 13th the State of the difference between the Council and Assembly, & I perswade myselfe will approve of the Conduct of the Council in Insisting on a right, by Virtue of the Laws referr'd to, of Joyning in the direction of the disposall of the publick money w^{ch} the Assembly have been hardy enough to deny them Contrary to the Express letter and meaning of those Laws : as well as Contrary to his Majesties Letters patent.

Those acts have made a sufficient provision for the support of the government were it dispos'd of to that purpose: but the disposition being to be directed by Governour Council and Assembly, if that is to be done by Act of Assembly, to w^{ch} every branch of the Legislature must agree, it will be in the power of the Assembly to compell the other two branches to comply with what they will please to direct in the case, or be without any support at all. Such Construction seems to me wholly to defeat the ends & purposes for w^{ch} those acts were made: but if the disposition as the Governour Council & Assembly shall direct ought so be construed such direction as any two of the three parts of the Legislature shall agree

on or that it may be done without act by agreement, so that either the Govern' & Councils agreement may Conclude the Assembly, or y^e Council & Assembly the Govern', or the Govern' & Assembly may conclude the Council, such construction in either of these cases will render the acts effectual, for the purpose of supporting the government meant & Intended by them.

The direction of the disposition of the money by those acts apply'd yearly for the support of the government, seems to me to be Intended a direction to be by agreement of the parties Impow'ed to direct, or a majority of them, without making an Act of the Assembly for that purpose, & not a direction by Act of Assembly for the reasons following, viz :

1st. The striking or making of bills of credit to be current in lieu of silver and gold was of great service to the people and a great obligation lay'd on them ; they being so made at their earnest request ; and the naturall & apparent reason of the Governour consenting to such Acts must have been to secure a certain support for the Government, &, as I take it, was one great Inducement to his Majestie to ratifie & confirm them.

The Assembly also who propos'd, and, in the name of their Constituents, so Earnestly requested those Acts, must have Intended they should prove as effectual for that purpose of Supporting the Government (w^{ch} they & every body else knew to be the only Justifiable Inducement for the Governour to assent to them) as they should do for any of the other purposes mentioned in the preambles of them ; or they must have intended to deceive both the Council & Governour, by proposing an apparent certainty for a real one : but the last I think is not to be supposed or admitted. It, from this, seems cleare to me that each part of the legislature who made those Acts did understand, mean, & Intend that y^e money by them in those Acts apply'd to the support of government should all of it be truly & bona fide disposed of to that use & to no other, & that it should not be in the power of any one part of the legislature, or any body else, to prevent its being so apply'd, any more than to prevent the application of any other money to the other purposes mentioned in these Acts.

2d. And therefore as the Legislature by these acts apply'd a certain quantum to the support of the government, the power of direction left to the Governour Council & Assembly was a direction, as I take it, only how & in what manner all that quantum should be disposed of to that only use & purpose, & not Intended to give any of them a power to hinder its being dispos'd of at all, w^{ch} seems to shew that the direction Intended was not to be by act of Assembly ; because if it was, it would be in the

power of any one part by their dissent to such act not to dispose of it at all : & of the Assembly in particul' to dispose of but part of it & that how they pleased.

3d. If it was Intended to be done by act, it was needless to leave it to the Governour Councill & Assembly as parts of the Legislature, because they had & will have that power, whether left to them or not, to repeale that act & apply that power to any other use they think proper so to do.

4th. As the Governour in passing of Laws has only a negative voice, so here, he having a power to direct equally with others gives him more than a negative voice in this case, and seems to Infer that the direction meant by these acts, was not a direction by act of Assembly but otherwise.

5th. A construction that the direction Intended was to be by Act of Assembly, puts it in the power of the Assembly to defeat and elude the main Purpose of these Acts, & prevent that disposition to the purposes expressed meant & Intended by them as they have done in this case, & therefore such construction in my opinion wrong & contrary to the Intent & meaning of them. However this is I humbly submitted to your Lps better Judgment. Whether the disposition was to be directed by an act, or by agreement without an act, it is certain that the Governour & Councill had (by their own acts of Assembly) as great a right to direct in this case as the Assembly, & their Denying to admit the Councill and to make any alteration to the bill, was assuming to themselves a power and pretending to a right of acting, contrary to the express words of the Laws & by no means warrented by his Majesties letters Patent, w'ch by their deeds in this case they deny to be bound by.

The pretence they make use of to Justifie their obstinacy is, that this money paid into the treasury was the people's money, and being so, the people's representatives had the sole right of disposing of it as they thought fit; any acts of the Assembly, letters patent or Instructions to the contrary in any wise notwithstanding.

1st. To this it was answered, first, that the fact is not true that it is the people's money; for had the money been really rais'd upon the people, yet being rais'd & paid into the treasury, & apply'd by acts of Assembly, it ceas'd to be the people's money but became the King's money, for such a purpose with w'ch the representatives of the people had nothing to do, farther than they were empowered to meddle by y^e acts that rais'd it.

2d. That this Interest money paid into the treasury for the Support of the government, was so far from being the people's money, that neither

the Principall lent or Interest arising from it ever was the people's money, but a new species of beings created by the fiat of the Legislature, & was a giving or lending to the people, or such of them as borrow'd, something they wanted & had not before, nor could have had any other way. That antecedent to the paying or lending of it, the propertie, was in the lenders & payers, viz. the government; that immediately afterwards it became the propertie of the borrowers, & of those to whom it was paid; that the borrowers in consideration of being accommodated with it by the government, were to pay to it for its support such a part w^{ch} was to be paid yearly into the treasury, and, by the acts that made it, apply'd to y^e use, but to be disposed of for that purpose in such manner as should be directed by Governour Councill & Assembly; that the interest paid into the treasury in no sence could, with any propriety of speech, be called the People's money, but the money of the Lenders (to wit) the government, & consequently that the representatives of the people neither had nor could have any right to meddle with it, but what those acts w^{ch} made it gave them; & therefore it would be great Ingratitude in them, was it in their power, to defeat the government of the only consideration that could Induce it to consent to the making of what they call paper money; and the highest Insolence, upon that weak and groundless pretence, to attempt it, & contrary to the express words of those acts, pretend to give as the people's money what was not theirs to give; but had been by the acts that made them given or apply'd before for the support of the government.

Whether this reasoning be Just or not is humbly submitted to your Lordships; but these or any others that can be made use of will have little weight (tho ever so just) with a people resolutely obstinate and not susceptible of reason, the representatives of New Jersie being like those of other colonies in our neighbourhood, some of them Illiterate, or the next door to it—the greater part of them very ignorant and very obstinate, and the few of them that are otherwise very loth to oppose the common current; & tho' I Have as large a Share of their good opinion as any of my neighbours, if not a greater, yet all governours are suspected of designing upon their liberties; and if any of their members think it reasonable to make such a provision for the officers of the government as to put them above contempt, he is Immediately stil'd a governours man, and as such (if Possible) to be kept out of an Assembly, & one less complying to be chosen; it being a maxime in y^e Politicks of most of the northern collonies, that such men are only fit to be chosen representatives as will most Strenuously oppose their governours; and little or no effectual notice having been taken of the conduct of American Assemblies in

England (his majestie & his ministers being engaged in matters of greater moment) they have been so successfull as to cramp all the officers of the government, & make their sallaries precarious & depending upon their votes; by w^{ch} they have sometimes in New York Increased or diminis^h them as their behaviour has been more or less agreeable to them.

I am not without hopes (though but faint ones), of being able to reduce things to some better condition in Jersie, the conduct of the last Assembly being so evidently wrong that I am willing to believe the present will not persist in it; but my endeavours on that head will be rendered much less difficult, if propper notice be taken of the conduct, w^{ch} (considering the laws in force wth respect to the money apply'd to the support of the government) seems to me of dangerous tendency & without any precedent that I know of to support it, but that w^{ch} voted the house of Lords useless.

It has been suggested by Brigadier Hunter, who on his first coming to N. Y. was sufficiently [paid?] by the assemblys, that if his Majestie would appoint & fix what sum he thought propper for the sallaries of each of his governors in the Plantations, in Stirling money, to be paid in so much currency in America as would amount to it, & direct his governours, by the advice of their severall Councils, to fix the sallaries of the other necessary officers & Incidentall charges of the government, & by an act of a British Parliament oblige the severall generall assemblies to raise such sum upon the inhabitants in such manner as they thought propper, & in case of their refusall or neglect, to be done by the governours & Councils,—that it would put an end to the constant wranglings between governours and assemblys, curb their extravagance & keep them dependant & within due bounds.

There are many things said in favour of this Scheme; and tho' the Assemblys have too well deserv'd as great a rebuke as this can give them, yet I dare not adventure to say the expedient is advisable, for it is not Impossible y^t the assemblys may refuse to raise these sums, & if they do, it is not unlikely the Council will also refuse, so y^t I'm afraid the remedy suggested may prove either Impracticable or worse than the present distemper complained of, by the consequences that may attend it; but of this your Lps are better Judges than, my Lords &c

L M

To the Right Hon^{ble} the Lords Commiss^{rs} for trade & Plantations &c

TO THE DUKE OF NEWCASTLE.

October 10 1739

MAY IT PLEASE YOUR GRACE :—I received your Grace's of the 15th of June w'th his Majesties warrant for granting letters of Reprisall against the Spaniards in the West Indies,* I am referred by his Majesties to coppies of forms usuall in that case sent w'th the Instructions but I have no such coppies nor has Mr. Clark lieutenant governour of New York, & we both are at a loss how to forme these commissions and under what seal to give them : he has given one under the seale of y^e Court of Admiralty in New York w'ch some think to be a seale only proper for the processes of the Court. I presume to ask your Grace's directions concerning it.

I herewith send your Grace a copy of the Journalls of the Councill with a printed Copy of the Journalls of the Assembly. The first was not transcrib'd and the last not Printed timely enough to be transmitted by the conveyance by which the Laws enacted the last Assembly were sent to England.

Your Grace may see in page 32d &c. of the printed Journall of the Assembly the pains I took, &c. [a paragraph follows of similar import to that in the preceding dispatch.]

Your Grace may also see by the Journalls of the Councill of ye 13th of March, and a little before, the difference between the Councill & Assembly on this head. The Assembly did not attempt at giving any reasons to Justifie or palliate their conduct, but would act as they did because they would.

I conceived that in this case they assumed to themselves a power Inconsistant and contradictory to the laws in force, & to the power given by his Majesties letters Patent, destructive of the Constitution, derogatory from his Majesties Just Prerogative, without any precedent that I know of, but that by w'ch the house of Lords was voted useless, w'ch I Judged to be a very dangerous tendence & most Pernicious example ; & seeing no liklyhood of their coming to any tolerable temper with the Councill, but a Tenacious obstinacy of Persisting in what they had begun, I thought it my duty to dissolve them : & presume to hope that his Majestie will not disapprove of the Conduct of your Grace's most obedient

L M

To his Grace the Duke of New Castle &c

* These forms having been subsequently received, blank commissions and instructions as issued by Governor

Morris, may be found in No.'s 19, 20, and 21, of his Papers in the N. J. Historical Society Library.

TO SIR CHARLES WAGER,
As First Lord of the Admiralty.

RIGHT HONBLE:—I received the Hon^r of yours from Parsons Green of the 17th of June last, under cover of his Majesties Packet, with his warrant for granting letters of Reprisal w^{ch} Came to my hand on the 17th of August by an express. In his Majesties Instructions I am referred to coppies &c [paragraph similar to the first in the preceding letter.]

The Governours, by Virtue or under Collour of their Commissions from the Admiralty, have allwaies stil'd themselves Vice admiralls of, or in, the places which they govern, and I have follow'd the precedent: whether that title be right or not I cant say; if it be not, I beg to be inform'd what is?—The Governours also, when they went by water, have wore the Union flag at the head of their barges, and the Capt^s of the Kings ships have threatened to take it from them if in sight of their ships, or fire it down in case of resistance if within reach of their cannon.* I beg to be informed what flag is fit to weare in such case, or if any?

By his Majesties instructions upon granting letters of reprisal I am directed that the vessells which go on that account shall weare the union flag with a white escutcheon in the middle to be one half of the depth of the Jack & one third of the flag. This is supposed by some to Proceed from some mistake in the clerks, for by a Proclamation (showed me printed in a treatise concerning the Admiralty) it should be the Union

* This jealousy of the naval commanders of assumption by civilians of any of the badges of the service. resulted, not long after, very unfortunately for a member of the family of Col. William Ricketts of Elizabethtown. On Thursday, June 7th, 1750. that gentleman, with his wife and family. accompanied by some friends, on his way from New-York to Elizabethtown, unfortunately left a "burgee" flying at the masthead of his boat, which drew a shot from his Majesty's ship Greyhound, then lying in the North River; but not supposing it was intended for the boat no attention was paid to it. Another was therefore fired, and being

aimed at the boat, the ball passed through the mainsail and killed a young woman, nurse to one of the children, which was in her arms at the time. The coroner's inquest brought in a verdict of wilful murder, but the captain (Roddam) was exonerated from blame as he was not on board. Great excitement ensued, and the governor thought proper to ensconce himself behind an extract from his Instructions, which he made public, showing that he had no jurisdiction in the matter; as the circumstances occurred "on the high seas." How the affair terminated is not known.

flag in the upper canton of a red ensigne w^{ch} is very different from his Majesties Instructions to me & w^{ch} I have no authority to alter without his Majesties order and dare not appoint any other: if it be a mistake I pray that I may have proper directions about it. I have not mentioned this affaire to the Secretary of State, because I thought it a matter more properly under the direction of your Lps board: but whether in such case I can alter it without an Express Instruction from his Majestie I doubt; they being by the King's letters Patent under y^e seale directed to be followed. May not the Governour in going by water weare such an Ensigne Jack or flag as he is Impowered to commission others to weare?

The lieutenant Govern^r of New York has no admiralty Commission, & that given to Cosby has no devolving clauses; but if it has, as the Admiralty of New Jersie being now as distinct from that of New York as the government is, so (as I take it) the Court of Admiralty in New Jersie is distinct from the Court of Admiralty in New York, tho they should be under the same Judges & Officers; and should make use of a distinct seale. I think to make one for that Purpose, and also for the seale of Vice Admiralty of New Jersie, to grant Commissions in case of the death or failure of officers & for reprisalls (if proper to be granted under such a seale,) concerning which I pray the direction of the Admiralty, that in case I am wrong I may correct the error as soon as possible. While the Commission to the Govern^r of New York from the admiralty subsisted for New York Connecticut & New Jersie (w^{ch} I am told was intended to confer no greater power than what is generally given to Vice Admiralls of Counties of England, if so much) there was also a Commission granted to Richard Bradley, Esq., now Attorney Gen^l for New York, for being advocate generall for New York Connecticut & New Jersie, but no power of deputation mentioned in it. Peagrim, the survey^r Gen^l for the Customs for the Northern District, has apply'd to me on that head in case of a seisure made in Jersie, w^{ch} at present cannot be tryed for want of the advocate's attendance or his deputies, & tells me it is usuall for those officers to make deputies; the nature of his office being ministeriall and not magisteriall (w^{ch} I think is right,) he declines the attendance himself, but offers to make what deputy I think fit. I have proposed it to Fenwick Lyell, one of our Councill in Jersie, who is a good Lawyer and much superior in his profession to Mr. Bradley, but he declines taking a deputation from him—the Surveyor Gen^l presses the matter, & so does the Collector, so that I am under a necessity of appointing one to that office in Jersie, w^{ch} I intend shall be this Fen-

wick Lyell who is a person very capable & I humbly recommend him to their Lps for their approbation & commission to that office.

It is very likely that there will happen now & then some perquisites of the Admiralty on the Sea Coasts of Jersie. I have no Instructions Concerning them, & am much to seek how to behave in such case, & humbly pray that suitable directions may be given to, my Lord, your Ldshps most obedient &c.

L. M.

To the Right Honourable Sir Charles Wager &c.

October 10th, 1739.

TO SIR CHARLES WAGER.

October 12th, 1739.

RIGHT HON^{ble}:—What comes with this is a letter to you as first Lord Comm^r of the Admiralty. I chose that method of writing of matters in your way unmixt with any thing else, that you might, as you thought fit, communicate it or not: if I have fail'd in the ceremonials of address, I presume to depend very much on you for my advocate, it being an error (if so) not of my will but of my Judgment; for I really knew not how to do it better.

I was glad to find by yours that you were in good health in an age so far advanced as yours is, and I hope it will continue for the sake of your family and of so many others who are so much concerned in it: I am following close at your heels being within a few days of entering into my 69th yeare, but thank God enjoy a good state of health, but sensible of some decay of memory, and loss of teeth w^{ch} have long since left me to mumble my meat as well as I can with my gums. We have a man in New York, one Scurlock, nigh four score years, who for nigh 15 years Pass'd has liv'd solely upon milk punch made with Rum, without eating or drinking any thing else & seems as hearty well & strong as a man of fifty. I have known another Instance of the same kind, but neither of these men had much business with thinking, and very much unconcerned whether the Emperor got Constantinople or the Turks Vienna, w^{ch} might not a little contribute to their length of days.

The people of New York Rhode Island &c are very fond of having leave to make reprisals on the Spaniard and have fitted out some sloops for that purpose. I wish the success may answer the expectation; if it does not I'm afraid they'l turne thieves and Pyrates. Mr Clark and his Assembly at New York I am told are very much to pieces and diffident of each other. How it happens, I know not, but they will not believe, or

pretend not to believe, he has any sincerity or to be depended on; this character, whether he deserves it or not, is very prejudicial to him and to the public service he is engaged in, and what gave rise to it seems to me to be owing to a variety of Incidents. He was suppos'd to be the sole director of Mr. Cosby's measures; this he denys to be true and charges them to the account of Mrs Cosby (who had the Intire management of that weak madman her husband) who it is said had entered into schemes with Mr. Delancy, the present Chief Justice, to suspend Mr Clark and some others, as well as Van Dam, in order to make way for Delancy to be at the head of the government; but Mr Cosby dyed before it could be accomplished. Some suspected the truth of this; most agreed she was capable of it; few men were willing to acquit Mr Clark Intirely of being concern'd in the direction of his measures, and many believed they were both more concerned than they should have been. The Assembly in being at the death of Mr. Cosby had continued a long time w^{ch} had given great disgust, & tho they had gone into all Mr Cosby's measures yet they had but a bare majority who would not venture to go the Lengths under Mr Clark that they had done for Cosby, so y^t Mr Clark could make but little brick with them. The great Sticklers for Mr Clark were displeased at this, for they accounted themselves sure of Mr Clark's falling into all their measures in gratifying their resentments and his own against their opposers; but he found that Impracticable; and wisely declin'd entring into angry measures; this was a great disappointment & no language was thought bad enough for him. A new Assembly was chosen in w^{ch} very few of Mr Cosby's friends were returned, in w^{ch} my son was chosen speaker, & from them he had very little reason to expect any thing; but contrary to every bodyes expectation and his own, they took quite different measures from what it was suppos'd they would do; for, by some influence my son and I had, they were prevail'd upon to make up all the past deficiencies of the government & to give Clarke his full sallary for one yeare; nobody did or indeed could well imagine it Possible that this should be done by men who had been so much disoblig'd as the greatest part of these who rais'd this money; but they chose not to sacrifice the Publick peace to their private resentments: and Clarkⁿ having, as they Judg'd, behav'd with an unexpected prudence & temper, they perswaded themselves that this behaviour on their part would be a means of settling all things in peace, w^{ch} by a suitable behaviour continued on his part would be effected. Farther than one yeares support could not be obtained, & pressing for more at that time would have prov'd prejudicial to their Interest. But there was great Probabillity of matters coming to a good Issue & satisfactory to all parties: the face of affairs

had a pleasing prospect & the ferment began to subside. During this quiet my Patent arriv'd for Jersie, and some small time before I took my finall departure this Assembly was dissolv'd, to the great surprise of every body not let into the secret: this conduct was variously censur'd as the parties stood effect'd: most believ'd that the rude treatment Clark had received from those who were suppos'd in the interest of his former friends was all a farce acted by his permission; & that whatever his behaviour or theirs had been, yet there was a pact between them, & they were as much friends to each other as formerly, or he never would have adventured to dissolve an Assembly who had done every thing for him, & more y^a he could expect as men & things were circumstanced at that Juncture, & from whom more was to be hop'd than from any Assembly he or his suppos'd friends could get chosen.

This rais'd the ferment again. His suppos'd friends in order to get themselves chosen made it their business to represent to the populace that the dissolv'd Assembly had been Lavish in y^a disposal of the publick money, by giving of the lieutenant governour the full sallary, when by the King's Instructions he was Intitled only to the halfe of it, & Mr Delancy, the present Chief Justice, I am told carried about this Instruction in order to convince y^a of it. Whether this was done in hatred to Mr Clark & with an Intent to get into the Assembly in order to distress him, or whether it was done to get into the Assembly with an intent to come into all his measures in case he would come into theirs (w^{ch} some suppose was agreed on) is a doubt, but the last is generally believ'd; & its said to confirm it that petitions have been endeavour'd to be obtain'd from some counties to give the whole sallary (in order to give them a handle to come off) but without effect. There are many that believe the first; & w^{ch} of them is right I cant determine; but if they have been acting of a farce they have done it in such a manner as not to be able to get clear on't, & dare not hazard their reputations in attempting of it, but must be carried down the stream; for there are many chosen that have no good opinion of Mr Clark's sincerity & will give no more than halfe—many that think it right to give no more than halfe; most of the old members rechosen, who were blam'd for being lavish, wont be perswaded to come into more in order to oblige the suppos'd politicians to stick to what they had Inculcated, w^{ch} they seem strenuously to do, pretending Mr Clark is not to be trusted or depended on, & in this it seems they are not singular in that house; & the other day came to a resolution N. C. to give only £780 pounds for his sallary, but resolv'd not to give that till he has pass'd such Laws as they require. He prorogu'd them upon this for some days w^{ch} has disoblig'd them; & I am told they are resolv'd on

their meeting to adhere to their former resolutions wth advantage. What will be the Issue I can't say, the Politicks are too finely spun for my old eyes to forme a Judgment of.

The present Scituation of things does not promise an Issue much to his advantage, or that of the publick, & I much question whether things can be set to rights till they have a governour in chief; & who should be a man of no ordinary abilities. I am told that he blames me for consenting to an act for the support of the government in w^{ch} are many appropriations. I dislike the thing as much as he does, but its what has been usuall in Jersie; and in my case directed by two acts that have the Royall assent. I wish that was all; but our Assembly has gone greater Lengths than his and acted excluding the Councill, w^{ch} I have fully represented to our superiours for their notice; but I know very well that they have business of much greater concern upon their hands w^{ch} takes up all their time & do not much like an addition of trouble. I took all the notice I could of it by dissolving of them; but I Judg'd it better to take the money upon such termes as I could get it, than be without, w^{ch} might have lay'd me under a necessity of complying wth worse and would have been putting mysele in the wrong: whereas I have now shewn them to be so in the opinion of the people, & tho many of the same members are chosen, yet the Knot is broke, & the difference rather between themselves, & between them and the Councill, than with me for whom they pretend to have no small affection; & I am not without hopes of convincing them & bringing them out from their mistakes; they being (if I am rightly inform'd) well disposed to agree with me if they can; & I am sure I will agree with them if they do not require many things Inconsistent with my trust to consent to.

I thank you for the hopes you give me of having a ship station'd in Jersie. She will be a great protection to the eastern parts of Jersie w^{ch} lie very much exposed and have no fortifications of any kind, but their povertie, to protect them. Amboy is a very good Harbour about 6 leagues from the sea, capable of receiving a great number of ships of any burthen or draft of water that can go to New York, & easier to be entered or departed from yⁿ New York, & of the two more safe—tho both good. I hope this will find you & good lady Wager possess'd of as much health & strength as any of your yeares be: & you easily and successfully discharging the weighty affairs your severall hon^{ble} stations Ingage you in, wth satisfaction to the publick & peace to your own mind, w^{ch} is a pleasure nobody can wish you with more heartiness than

Right Hon^{ble} your Affectionate & Most Oblig'd Humble Servant:

L. M.

To S^r Charles Wager.

TO JOHN CLARK, BOOKSELLER.

October 12, 1739.

SIR—I sent you by Bryant 110 milled Spanish pieces of 8 which I hope came to hand—Gill goes this day and I have some Gold to send you by her if I can get in on board ; but if I can procure a bill, that shall come ; If it does, add to the bookes I sent for, Tindal's Josephus, a little book Just publish'd call'd the compleat gamester, a large quarto bible bound in turkey, guilt & Letter'd ; and, if the money holds out, Chambers dictionary—

I am sir,

L. M.

P. S. October 15. With this you have a bill for £22. 5. sterling, w^h a letter of advice. The bible should be without common prayer & singing psalmes. I would have 3 sent instead of one. If there be war declar'd, or the commission of reprisalls continue, insure the bookes sent if you have not sent them before this comes to hand. If the bookes come to more than the money I'll send the ballance, if to less, I shall direct more bookes when I know.

L. M.

TO COLONEL SPOTSWOOD, POST MASTER GENERAL.

Perth Amboy, Nov^r 13, 1739.

SIR—I acknowledge the favour of yours inclosing a blank Deputation,* w^{ch} I gave to Mr. David Lyell a brother to Fenwick Lyell one of his Majestic's Councill here, as you will see by the oath inclos'd, & I hope he will behave as he ought to do : My duty obliges me to give all proper Countenance and encouragement to the Post Officers within my district, and your being concern'd in the direction of that office will make the performance of that duty a pleasure to me.

I have received many Complaints from the people of Burlington against the post-rider, who, tho' oblig'd to call there, yet often passes it both in going and returning without calling there ; and letters and papers of consequence have by that means either miscarried or not come timely enough to answer the purpose of writing. One of our Councill here, gave me an Instance of papers he had sent concerning some affaires w^{ch} should have been delivered while the Supreme Court was setting there,

* Presumed to be as Postmaster at Perth Amboy.

which were carried to Philadelphia, w^{ch} neglect prov'd very prejudiciall to the persons concern'd : & says many such Instances can be given. The People of Burlington conceive it is his duty to call there, if not to stay a night there ; but instead of going thro their town, he comes to New Bristoll in Pensilvania, sometimes comes over, but often neglects the doing of it, both in going & coming ; so that letters of that place are often carried to Amboy or Philadelphia tho an officer is appointed at Burlington, & it is understood to be a Post-Town by an Act of Parliament of the 9th of the Queen. The Post-rider has I think call'd twice or thrice upon me in his passage thro' this town, but Generally passes, and is gone before I know any thing of it, which has in some cases prov'd prejudiciall to his Majesties service, and may be much more so in case a war breaks out, w^{ch} at Present seems not unlikely.

By the Constitution of this Government the Assemblys are to sit alternately at Amboy and Burlington, w^{ch} makes the Governour's residence at one or other places necessary : & I must submit it to you whether it be not fit to direct that the rider stay one night in such of these towns—where the Governour happens to be resident ? I am with very Great Regard Sir &c

L. M.

P S Nov^r 14 the rider came into town last night and went out without my knowing any thing of it, tho order'd to call ; which delays this one post.

To Coll^o Spotswood Post M^r Generall.

TO THE LORDS OF TRADE.

Perth Amboy, Decem^b. 6, 1739.

MY LORDS :—I have receiv'd your Lordships of July 5th, and a duplicate of the same, with Coppyes of Addresses from the house of Lords & Commons to his Majestie Relating to the Paper Currency in America, upon w^{ch} I summon'd a Councill to make the Inquiries directed ;* but could not get above three of them together sooner than a few days since, when with much ado & the Expense of Expresses I got eight of them to—

* These inquiries were relative to the rates at which gold and silver coins were current in the colonies in the years 1700, 1710, 1720, 1730, and 1739 : and also as to the amount of

paper money or bills of credit, issued or authorized since the year 1700, their value in sterling money, &c See Morris Papers, Nos. 8, 9, and 10.

gether, & then I lay'd the addresses before them; & yesterday the Committee to whom that matter was referr'd made the Inclos'd report.* I am told the ships go wth in this day or two (if not allready gone) & I send this by express to New York that if Possible it may reach them & come timely enough to your Lps.—From my Lords &c, L. M.

To the Board of Trade.

TO JOHN CLARK, BOOKSELLER, &c.

Amboy, Decem^{br} 6, 1739.

SIR:—I have yours of August 27th by Bryant with the books w^{ch} came safe but not guilt & letter'd as usuall. You have sent Salmon, w^{ch} I did not send for; I think he has hardly any thing new to me but as yet I will not form a Judgment of him, if upon looking him over I should not like him you must not be surpris'd if I returne him to you * * * * *

Send me 6 quires of gilt paper not so thick as fooles cap, and the report of Fitz Gibbon—I am &c, L. M.

To Mr Clark bookseller &c

TO FRANCIS GASHERIE, SECRETARY OF SIR CHARLES WAGER.

Amboy, Decem^{br} 8, 1739.

SIR:—* * * * * I pleas'd myselfe with the thought that you deferred writing till you had an opportunity by the Station ship (as I hop'd) Intended for this place: but the Scene of the publick affaires has been so much chang'd since May last that I have not known what to say on that head. Whether one can be spar'd now or not I know not: but you know our capitall city of Amboy so well, as to know it is more necessary now than ever: and being so I wont yet despair of having one.—I wrote so largely to Sir Charles, by Gill, that I am both affraid and asham'd to trouble him by this conveyance, doubting I have tyr'd him too much by my last. I hope that both he and good lady Wager continues in health and in the good graces of the King; and tho' favour be not an Inheritance and an Estate in fee simple, yet I please

* There is no copy of this report known to be on this side of the Atlantic.

myselfe with thinking it will be an Estate for life with him, and hope it will be so consequentially for Sir Yours &c,

L. M.

To Francis Gascherie Esq'

TO BENJAMIN SMITH.

*Amboy, Jan'ry 3d, 1739.**

MY GOOD FRIEND SMITH :—I receiv'd yours about the time I was going to York, to which place the worst business call'd me, viz. the attending a law suite of my own : that, and the hurry I have since been in has been the means of preventing the answering of yours of the 13th of Septemb. last : How far you were acquainted with the proceedings of your friends is what I neither do nor can know : but whatever were the motives that Induced them to it, they did in fact use their utmost Influence to get such men chosen as they conceiv'd would give the Governour all the opposition in their power : that it was so in Salem, Gloucester, & Burlington counties is said to be too evident to be deny'd. Those of the city of Burlington had indeed a different way of thinking ; but had not (or did not use) an Interest sufficient to prevaile with any but the Inhabitants of that city. What the Choice in Monmouth is you know : & I am very much misinform'd if that was not solely owing to their Influence, the whole body of them in that County Joyning in it. And tho in this, and the neighbouring County of Essex, their numbers were small compar'd w'th others, yet all the Influence they had was (as is said) made use of & with no small success ; how far they'll find their account in such a conduct (if they persevere in it) time can only discover.†

You tell me that what you conceiv'd Influenced divers well meaning people to do as they did, viz not the removall of Tatum or any other officers (for of that you had heard but little,) but, the Ill success divers bills met wth that the Country had much at heart, w^{ch} Ill success is by many lay'd to the Charge of the Govern^r 2nd forbidding the treasurer to pay the Assembly-mens wages according to act of Assembly. This you say *I must* allow to be a mistake. 3rd Accepting of what money was appropriated as an Earnest of what I expected. You have acted a friendly part in telling me this & I thank you for it. If I know myselfe no body can be more willing to acknowledge an error in Conduct, or to alter it when I am convinced it is so, than I am ; but that ought first to be done, & no man ought to be charg'd but upon cleare evidence, and not by sur-

* 1739-40.

† For the names of the members elected, see p. 85.

mise and guess. I own with you that many well meaning but weak men may be influenced and missled, & it is plain have been so: but it is as true that too often Ill meaning and crafty men Influence these well meaning but weak brethren to become the Implements of their purposes; and when they have done laugh at them for being so. Tatum, for ought I know, might have been a very good man; the news writer of Philadelphia has taken no small pains to represent him to the world as such: who possibly (had he not been turn'd out) might have remain'd unnoticed and the world uninform'd how considerable a man he was, & consequently how Imprudent it was to have displac'd him: but that displacing was owing to representations of men in that neighbourhood, (Quakers) not Inconsiderable in their stations, or all knowing in the characters & conduct of men & circumstances of things, and however commendable the laudable practice of representing the conduct of Governours in such a light as to render them odious to the people may be, yet, at least it should be done Justly; w'ch leads me to speak to what I am charg'd with: & first with respect to the miscarriage of divers good bills, that the country had much at heart. That the country might have divers good bills at heart (or at least such as they thought so) may very well be, but why I am charg'd with their miscarriage they that make the charge can best tell. You very well know I pass'd all that came to me but two, viz the bill for a triennial Assembly, & the bill for forreigne attachments. The first of these assign'd as a reason for its passing that by the fundamentall Constitutions of this province there was to be an annual Assembly chosen. Such Constitution neither you nor any of the Assembly ever saw, nor in fact was there ever any such originall Constitution, or fundamentall Constitution, call it w'ch you will, of the now province of New Jersie. In the Eastern Division it was quite otherwise; as appears by the fundamentall Constitutions under the Seale of the then Province of East Jersie, & hands of the greatest part of the proprietors of that time, w'ch I show'd to Cooper & severall of the members: & this was known to all or the greatest part of the house: I must then refer it to your selfe and all Indifferent men, whether it was not a most uncommon kind of assurance to propose a bill to me to be pass'd into an act, & then, by that, to receive the sanction of the Legislature, for the reasons given in the preamble for Enacting of it; when both they & I knew the reasons given were not true, but a notorious falsehood? If that is not a sufficient reason for my refusing that act I am at a loss to know what is? Oh, but say they it was submitted to the King. Very fine! they would have me let a lye pass and prevaile upon the King to confirm it—But there is more than that in it, for tho' I lik'd the act well enough as to the substance of

it, viz a triennial Assembly, I showed them y^t my Instructions did in a manner prohibit the passing of it, by forbidding me to pass any act that might give the people here greater privileges than the people of England had, by w^{ch} prudent men might see it was not proper at this time to attempt any such thing : & tho submitting it to the Kings approbation was an act of good manners, yet Kings wont be well pleas'd with their Govern^r for laying them under a necessity of refusing to comply wth the desires of their people, when the Govern^r had abundant reason to believe a compliance would not be obtain'd ; and indeed the rejecting of an act of the same kind lately pass'd in New York, is a plain proof of what would have been the fate of this had I pass'd it at this time ; & perhaps by doing so deprived the people of the benefit of making use of a more favourable opportunity : this having not been rejected by the King nor any other of this kind that I remem^{br}.

As to the Act concerning Attachments, I had seen severall Inconveniencies by it in another province, where I think an act of that kind once subsisted, Entitled an Act for the Encouragement of the City of New York : but the Inconveniencies & unjust proceedings occasioned by it were Intollerable. An act of y^t kind, or by-law, is said to subsist in London, but (as I take it to be) directly Contrary (if like ours) to Magna Charta. I have a right to think for myselfe, as well as any other man in any part of the Legislature, and as one part of the legislature have as great a right to dissent as any or both of the others have to propose : & to be angry and dissatisfied because I will not give up my reason, & assent to things I do not think it right to assent unto, is such a proceeding as no man would like in his own case ; and those of your friends as little as any set of men I know. To raise a generall Clamour upon a foundation so ill grounded, and to Endeavour to obtain a choice of such men as will compell the Govern^r to comply wth all their desires tho in his opinion contrary to his duty & the publick good, (of w^{ch} he may be presum'd to know something,) is not the most likely way of succeeding : nor the greatest Indications of these Clamourers being good men or good subjects. Before I leave this head, I take leave, my friend, to observe to you that two laws cannot very properly be called divers laws, but too much shows how very willing divers men are to raise clammours & how much they are put to their shifts to find reasons for the doing of it. I'm afraid I may say with more truth, if the thing be examined into, it will appeare that the miscarriage of divers bills the Country had much at heart was Owing to the Assembly themselves, for of 16 or 18 Bills begun in their house they themselves rejected five or 6 ; and one bill which the Country had much at heart, for the recovery of small debts, was drawn in such a

manner that it could not pass the Councill. It never came to me, and if Bickleys affidavit be true, it was drawn in the manner it was on purpose that it might not pass. If all that paines was taken at so great an expense to the Country, (by the time made use of to do it,) to draw a bill in such manner on purpose that it should not pass, where or what was the sincerity of the persons concern'd in the Drawing of it; & for what end could it be designedly so drawn unless it was wth Intention to raise Clamours against the Gover^r. Men that are in the wrong must have recourse to falsehoods to Justifie themselves, for truth will not do it. So much for the first two charges: the next is the forbidding the treasurer to pay the Assembly mens wages & this you say I must allow to be a mistake. I confesse I was a little surpris'd to find this from you, because you knew y^t it was an act of the Councill; to w^{ch}, tho I concurr'd at the time & the express was sent; yet the very next day (doubting the legality of such an order,) I summon'd a Councill & lay'd my objections before them: but they were not, nor are yet, convinc'd that it was Illegal to do so; & it was but by a bare majority of one vote I carried it to Countermand the order: w^{ch} was done & they had their money, w^{ch} they would not have had if I had not taken some paines in it: the Councill being not a little tenacious that by the act of Assembly they were not intitled to it, notwithstanding of my Opinion in the case. This I told you when you came from York, & perswaded myse^{lf} y^t when you heard any thing of that kind mention'd, you would set that matter in its true light with respect to me, & w^{ch} I still perswade myse^{lf} you would have done had you believ'd what I say'd to have been true: but that you know best.

As to accepting what was done as an earnest; had I not heard from various hands so much about it I should have thought it Impossible that men in their right wits, possessed with the smallest share of common honesty, could propagate the constructions they have been pleas'd to make; or that they could have been deemed of any force; but I find too many men are capable of saying any thing, & many more weak or wicked enough to believe them; & even against their own eye-sight & the conviction of their senses, greedily guzzle down and report any thing that in the least contributes to make the people uneasie with the govern^r. This I am sorry to see: but I am willing to believe and hope a serious consideration of the truth, and the means most conducive to their own true interest, will Induce them to come into another way of thinking. I think you cannot but know that I never took y^t money as given at that time by the Assembly or that they had any right to give it, or could give it; because it was given & apply'd before by the Assembly (not the house

of representatives, but the whole legislature that made the Paper bills,) to the support of y^e government: & that the last Assembly (meaning the house of representatives) had no other right or authority concerning it than their one voice in agreeing with the Governour & Councill, who had each one voice as well as they in agreeing in what manner the Interest money given, or rather appointed for & apply'd to the support of the government, by a former legislature, should be apply'd by the last to that purpose, & to that only purpose; not a part of it but the whole of it; for so say the acts that rais'd and made that money, if words have any meaning and are to be understood as they are commonly us'd. The members of that Assembly, nor their constituents neither, could not nor can be Ignorant of this; because I not only told them so in a long speech during their sitting, & another at their dissolution, but the Laws in being say the same thing; so that it was very dishonest and unworthy to make a calculation of my extravagant expectations from y^e proportion a sum paid in earnest, and as binding of a bargain, generally beares to the sum y^e was bound to be paid by the sum given in earnest,—when they did and do know that the whole amount of my demand for the support of the government was not an uncertain sum, & neither was nor could be more than the whole of the Interest money appointed and apply'd by the Laws in being to that purpose, nor will the words I made use of beare the construction that the enemies of the publick peace would villanously put upon them, & too many weakly or unwarily believe, or pretend to do or shew, I had any other expectation than the application of the whole Interest money appointed by the laws w^{ch} made (not rais'd) that money upon the people, to be apply'd to the support of the government; & w^{ch} those Laws warranted me to expect, for I said that I ought not, nay I could not, omit giving my thanks to those worthy gentlemen, Deservedly Stil'd &c by whose constant application, Diligence &c the *application* (not the giving) of the money *Heretofore* (not now) Rais'd for the support of the government was brought that Length. It was then carried against the open efforts & secret Insincere attempts to defeat it. I wish'd I could with any Truth say it was so ample as from the Publick *promises & addresses made to his Majesty* and the circumstances of the Province was Reasonably expected &c. But it being the greatest *application* (of money heretofore allready rais'd or given,) the friends of the government &c could procure (to be made) at that Juncture, when no means were left untry'd to render their honest endeavours (viz of applying of the money) totally ineffectuall, least their oppressors should triumph in being successfully mischievous in doing so (in doing what? why in rendering their endeavours of applying any of the money heretofore raised for the support of the

government but *as an earnest* of what ought to be done (viz the application of the whole) w^{ch} I hop'd would be done when the enemies of our happy constitution and present settlement had it less in their power & less in their Inclinations to succeed in attempts against it, & the friends of it more knowledge and Stabillity than to be influenc'd by them: that is, I accepted of the application of part of the money heretofore rais'd by the friends of the government as an earnest of their application of the whole when it was in their Power: this is what ought to have been done at that time, & what I had charity enough to believe & hope could be done when the enemies of the Publick had it less in their power & Inclination to hinder it. What has been in their Inclinations the late choice of many goes very far to determine; but what will be in their power or Inclinations when they meet I leave time to discover.

It seems not necessary to be more large on a subject which is so very plain & concerning which it is most certain that too many perhaps well-meaning men have suffered themselves to be most egregiously missled and w^{ch} must be attended, if persisted in, wth disadvantageous consequences to themselves and the Publick; but as you say things pass'd cannot be recall'd, & I hope with you that all concern'd in the Legislature will study the true Interest of the Province, & do what can be done to promote it instead of entring into disputes, or tenaciously adhering to them when begun, concerning matters of w^{ch} few are competent Judges, & w^{ch} can tend to no other end than distracting and breaking that good harmony among y^e Legislature so necessary to be cultivated, & so beneficiall to the publick when duly preserv'd. I have, as you hint, but too much reason to believe many are chosen to give me, right or wrong, all the opposition in their power: I do assure you I shall be glad to find myselfe mistaken. I shall not condemn any man or number of men on suspicion only, nor will I blame the whole for the Ill-conduct of a mistaken part, but if the whole want such a share of Spirit, resolution & knowledge as will be sufficient to prevent their being made the tooles of angry or designing men, what shall I say or what can I think in such case? favour is no Inheritance, and were I sure of the continuance of his Majesties to me, yet my age will not permit of my enjoying it long; and as I have no small share of Property in this Province, & a large posterity, I cannot be deaf to the calls of nature and reason, and am not so destitute of common sence as knowingly to enter into measures destructive of the publick good, by w^{ch} the Interest of myselfe and family must be great sufferers. This I think should go far to take off any suspicion of my entring into any designs against the publick: but be that as it will I shall endeavour to

discharge a conscience void of offence, wth respect to the publick & be as far as I am able their friend & Sir,

Your humble servant, L. M.

Postscript. Jan'y 26th 1739 Before I had clos'd the above I received yours of y^e 22d, in answer to w^{ch} I say that I never enquired whether the recommendations of civill officers was made by yourselfe or on consultation with others, it being not materiall who recommended but whether the men were fit; & in order to know this I lay'd both your list and all the lists in the Province before the Councill, whose advice I am appointed to take in these matters, and they (of whom John Reading was one,) advis'd the making of those that are now made; they may perhaps not be so fit as they should be. The Councill are to meet the 23d of March, and if there is any good reason for making an alteration I doubt not it will have its propper weight both wth them and me. As to yourselfe, both the Councill and I Judg'd you as suitable a man for the Post you are in as any amongst you. I should be very sorry it should prove prejudiciall to your Private affairs, but as those offices must be undergone by somebody (if the people will have County Courts,) I believe you are so good a man as to be willing to beare some Private inconvenience for the Public good.

It has been a practice, here and elsewhere, for persons put into office if they have dislik'd their companions, or their Rank, or the trouble or uneasiness those stations sometimes occasion, to decline Qualifying themselves, and by that way refuse the office; but this conduct is attended with bad consequences both to the publick and themselves:—to the Publick, for if the best and most capable men could be suffered to decline, it would lay the government under a necessity of employing the worst & least capable men, w^{ch} must bring magistracy & government into contempt, & thereby defeat the true ends of their Institutions; & therefore the law deems it an high contempt against the Prerogative & severely Punishable to refuse an office when legally appointed; for the Law saies the King can command the service and obedience of his subjects in every case that he thinks it propper to employ them in. Lord Coke, one of our greatest Lawyers, who had been Chief Justice of England & remov'd from that place, was afterwards appointed sherrif of a county but durst not refuse executing that office, tho he took much paines to avoid taking the oath, & made severall learn'd objections to the Court on that head; but without effect. Y^e Law books are very full upon this subject, w^{ch} shews it to be very dangerous on the part of the refuser. I should be loth to make any examples of that kind here, & I hope my son An-

till* and some others will come to a better way of thinking, & not lay me under a necessity of doing what I would most willingly avoid.

With respect to Joseph Decow, it is not unlikely that I made him such a promise as you mention; but I do not remember that I did; and if I did, I do not think I am oblig'd to keep any such promise when it appears to me prejudicial to the publick to do so. I shall endeavour to be as well advis'd as I can before I make any body sherrif of that county. What you meane by a party man I am in the darke about; & I must remain so till I am told what the Parties are, and on what they differ: if your county is divided into parties, I cant see but whoever is made must be of one party or another: I am willing to hope that they are all of the King's party, and on the side of the government & truth; & then they are of the party they should be, as is—Sir &c.

L. M.

To Benjamin Smith Esqr

Postscript. One postscript to another seems a little odd, but I Just now receiv'd a letter from Richard Smith Jun^r of Burlington. His opposers, the last Assembly, assign'd the motives of his actions & those Joyn'd wth him, to the hopes they had of places of profit or hon^r, for w^{ch} reason he declines serving to wipe off an aspersion which his accepting of a Commission would confirm. This was dealing plainly with me, and I think the reason good: and if that be yours allso I shall Comply with it: for it will be of greater weight to decline a post offred than never to have had it offred; and I think more effectually stop the mouths of those who have taken so much paines to misrepresent you, or at least (if that be Impossible,) take off the Ill effects their missrepresentations might otherwise have upon weak men.

Yours Sincerely,

L. M.

TO WILLIAM MORRIS.

Jan^{ry} 26 1739† Perth Amboy

MY WORTHY FRIEND MR MORRIS:—I thank you for yours of the 18th curreant. The gentlemen of the Councill, by whose advice the officers of your County were named, I find had a better opinion of your abilities yⁿ you yourselfe are pleas'd to entertain of them; & your mo-

* Edward Antill, his son-in-law.

† 1739-40.

desty in Endeavouring to depreciate yourself, confirms me in the opinion that they have Judg'd right in recommending you to be placed in the station you are in, for which reason I cannot easily be perswaded to Consent to your declining of it; & I hope you will not Insist farther on that head. It may be possibly attended with some prejudice to your Private affaires,—but we are not borne for ourselves, & when the best men decline the magistracy it must necessarily fall into the hands of the worst. I hope the prejudice to your Private affaires will not be of so much consequence as to be admitted to come in competition with the Publick good.

There is little for the Judges to do in the time of Vacation but the taking of baile, and the more scatter'd they are the more convenient for that Purpose. Three Judges are sufficient for any Court, & five are rather too many by two; but as three are requir'd to attend, sickness or other accident might prevent them, & therefore five were made & nam'd in one Commission; which arose chiefly from the narrow provision made for the secretary, whose pay as such will scarce pay for the paper and parchment employ'd for the publick. Properly each Judge should have a Commission, and one should be stiled Chief Justice of the Common pleas for the County. As to Assistants not Judges, nor having a Commission to be so, whatever the practice might have been to distinguish some by that name who were thought to be the better sort of the Justices, (& who might be fond of a feather,) the thing does not appeare to me Intelligible, or how they could have any power not being Judges by Commission, (but (if so) only by implication) to determine any man's property, & therefore I cannot think it at present by any means proper that there should be any such persons, or that the County should swarme with a sort of mock Judges when there are so few capable of being reall ones. The determining matters of Law that arise in Disputes concerning men's Propertie is (if I may call it so) a sacred Employ of great trust: and on which the well or Ill being of the publick does very much depend; there are few that are truly equall to the undertaking; but, since there will be disputes while men are men, however difficult it may be, there is a necessity y^t there should be such men as Judges; and in this case tho' there are not such as I could wish there were; yet it seems agreed that such as can be got must be made use of; and of these the most, and not the least, fit: and can there a greater Callamity well befall a country Than the most judicious declining doing the publick service when called to it, and preferring their private advantage to it? This shows that the doing so is in its nature criminall, and for that reason obnoxious to the laws, w^{ch} are very severe in this case. I should think y^t the meeting of any

five men, four times in a yeare, in a county wherein they inhabit, could not be a very difficult task, or very prejudiciall to their private affaires. As to the falling of the Courts, tho' true it is that the Judges not meeting at the term will discontinue all the actions then depending, & y^e no writs can be taken out till the term following, & perhaps make a generall Goale delivery: yet the Court I think wont thereby so intirely fall but that the Judges may meet the next terme & proceed from that time forward; yet I do not see how the govern^r hon^r, or the king's, is concern'd in it, but the Judges' may, and their safety too: for the suitors will think it hard to be depriv'd of their suites by the willfull neglect of one or more Judges: but I hope this is a case that will never happen.

It seems to me that any one Judge may continue the actions and processes; but that may admit of dispute unless founded on a rule of Court, & perhaps then, too, as you are Constituted. Betwixt this and the next Generall Councill I shall Consider farther of this matter. I rather guess than know, what you mean by advising that I should not say I would do what had been done if it was to be againe, whatever I thought. I thank you for advice of any kind that you will please to give me; but if I have done any thing that my little reason suggested to me was right at the time of doing it, I must on like occasions, while things appeare to me in the same light, not only say so, but do so too, or I must speak and act against my own reason & conscience, w^{ch} I am sure you will not think fit should be done by Sir &c.

L. M.

To William Morris Esqr at Trenton these.

TO RICHARD SMITH, OF THE COUNCIL.

*Amboy, 5 Febr'y 1739**

MY GOOD FRIEND SMITH:—I have yours of y^e 23^d of Jan'y & a second of y^e 31st of the same month, wth the two Inclosed lists, w^{ch} I yesterday lay'd before the Councill; & the Commissions Come by the bearer. There are some additions to the list agreed on between Mr Rodman and you, and one of y^e lists left out. The Councill thought it not fit to range them in a different manner y^e they had been rang'd in the last Commission, it being (in their opinion) indecent to be chopping and changing every moment. When the Gen^l Councill meets (w^{ch} is intended on y^e 23^d of March) there may be alterations made if necessary,

* 1739-40.

& I hope every body will Come prepar'd, that we may once **fix on** a good set of Magistrates, and give no room to any of our own members to pretend a surprise when there is a Charge of putting in unfit magistrates, leaving out fit ones.

I thank you for your kind letter of the 23^d of Jan'y & for the free opinion you give me in it. I thought myself under a necessity of dissolving the last Assembly seeing no liklyhood or probabillity of that set of men agreeing among themselves, or with the Council: their difference with the last being on a point very essentiall to the Constitution, Concerning w^{ch} much has been said on both sides.—I would not have made a new Choice so soon after the dissolution had not the ticklish scituation of Affaires in Europe made it necessary to have an assembly in being. The warm men have had time enough to Cool, and hope they'l come together wth such dispositions to do good for the publick as men who sincerely desire it should be possest of; if so, their meeting may be of great use. I had no thoughts of asking any money from them, my sole Intention was to give them an opportunity of making better use of their time than they did last winter, and tho' you have observ'd, very Judiciously, that such a Conduct may be an Inducement to them to come into measures more Conducive to my proffit than they have done, yet I do not do it with the view; if they will act as becomes them for the publick they shall have an opportunity of doing it, w^{ch} it will be their own faults if they do not make use of: as for myself, I have no expectations from this Session, & very little if any from any future one. Their Compliance wth their addresses to the King & their Conduct the last Sessions shewing very plainly what is to be expected from them.

I would write to your nephew Richard Smith Jun^r in Answer to his handsome letter to me, but I cannot do it at present without staying your Messeng^r longer than I would do: pray give him the tender of my best regards, & tell him I very much approve of his refusall to qualifie in the manly manner he has done & for the reasons he has given. My inclination was for putting my friend Isaak Pierson among the Judges, but declined it for the present to avoid giving any Pretence to Ill an Licentious tongues to abuse him on that head. I am not without hopes that a little time will make the Country think of them as they deserve.

I am wth sincere respect

Your Affectionate friend,

L. M.

To the Hon^l Richard Smith Esqr one of his Majesties Council for the Province of New Jersie.

THE LORDS OF TRADE TO GOVERNOR MORRIS.

Whitehall, March 7th, 1739-40.

SIR:—Since our Letter to you of Novem^r 2^d 1738, We have received yours of May 26th 1739, transmitting your Speech to the Council & Assembly, with nine Acts—one dated October 4th, relating also to the Difference between the Council & Assembly as to the Application of Publick Money,—together with one of the 6th of Decem^r last, concerning the Paper Currency in New Jersey.

We are concerned to find by your said Letters of the 26th May and 4th of October, that the People of New Jersey have made no better return to His Majesty, for His Gracious Condescension to their Request, in granting them a Separate Governor, and that they have put you under such Difficulties in the very Infancy of your Governm^t as have obliged you to dissolve, after one Session only, the first Gen^l Assembly that you had summoned together.

As to the Dispute that has given rise to the ill Understanding betwixt the Council and Assembly on Account of the Conference demanded by the Council on the subject matter of the Bill for the Support of Government; which the Assembly refused; alledging, that the Council had no Right to alter the Substance of the said Bill, or to confer thereon;—We apprehend the Assembly have done wrong, because the Council have an undoubted Right to alter Mony Bills sent up to them from the Assembly.

As to the rest, We are clearly of Opinion, that whenever Mony is left by Act of Assembly to the future Disposition of the Governor, Council and Assembly, it is left to their Disposition in their Legislative Capacity only and no other ways, and consequently, that no two Branches of the Legislature can dispose of it without the Concurrence of the third, in an Act to be past by them for that purpose.

We should be glad to hear in your next, that the hopes you have conceived, however faint you represent them to be, of reducing things to some better Condition, may not prove Abortive.—So We bid you heartily farewell, and are

Your very loving Friends & humble Serv^{ts}

MONSON

R PLUMER

JA: BRUDENELL

ASCROFT

The election for members of the new Assembly resulted as follows:—

For *Perth Amboy*—Andrew Johnston, Lewis Johnston.

" *Middlesex county*—Thomas Farmar,* Robert Hude.*

" *Monmouth county*—John Eaton, Cornelius Vandervere.

" *Essex county*—John Low,* John Rolph.*

" *Somerset county*—John Van Middleswart,* Hendrick Fisher.*†

" *Bergen county*—Lawrence Van Buskirk, David Demarest.

" *Burlington*—Richard Smith, Isaac Pearson.

" *Burlington county*—Mahlon Stacy, William Cook.

" *Gloucester county*—Joseph Cooper, John Mickle.

" *Salem county*—William Hancock, Richard Smith.

" *Cape May county*—Aaron Leaming, A. Leaming, jr.*

" *Hunterdon county*—Benjamin Smith, Joseph Peace.*

Mr. Fisher having been declared ineligible, Thomas Leonard was elected in his room, and took his seat on the 28th May.

The session commenced at Burlington, on the 10th of April, 1740, and Andrew Johnston was chosen speaker. The governor's speech was made on the

* New members.

† We meet this name here for the first time in the annals of New Jersey. Mr. Fisher was declared ineligible in consequence of a sufficient time not having elapsed since his naturalization, which had taken place only the session before. He stated that he had been informed he had a right to sit as a member of the Assembly by virtue of an act of Parliament passed in Queen Anne's reign which naturalized other Germans, whose provisions it was thought would include him. He came into the Assembly, however, in 1745, and con-

tinued to represent the county of Somerset therein until the Revolution. He was then chosen a delegate to the Provincial Congress, and at the meeting in May, 1775, was elected president. Subsequently, in October, when that post was conferred upon Samuel Tucker, he was appointed vice-president. He was also one of the general Committee of Safety. In these several stations he seems to have been a prominent and efficient public servant; and his career deserves greater consideration from Jerseymen than it has yet received.

16th; in which he told the house, that he had called them together to afford them another opportunity of doing all the good they could for their country, by making such laws as were proper for them to have and for him to consent to, the first opportunity having been allowed to pass unimproved.

"Most men," said he, "are too unwilling to own themselves in the wrong when they are so; but few men, when they give themselves leave to think, and seriously reflect upon their past conduct, can well avoid discovering their mistakes. Good men will readily own them, and wise men will endeavour not to fall into the like a second time. Tho' we are not all half so good or wise in every respect as we should be, I am willing to hope that we are all good and wise enough (if not to own our mistakes) yet not to commit the like, when with a serious attention we have discovered them to be so * * * * Let every man that has been concerned in the debates of the last Assembly look into himself, examine his own breast, and see whether in many of the disputes that then happened, the gratification of his own resentments, or his friends, or the support and uniting of a party he was engaged with, had not a greater influence upon his conduct, than any regard for the public good? If it had, let him resolve to do so no more, and heartily endeavour to keep those resolutions."

Much advice of a similar character followed; and they were reminded of his independent position as a coördinate branch of the legislature, with full power to approve or disapprove any bills they might send to him; and that no attempt should consequently be made by the withholding of a proper support from the government, to constrain him to assent to laws his judgment did not approve. As a colonial legislature, their laws must necessarily come under the review of his Majesty's government; and care should be taken, therefore, that no powers should be exercised to which they were not justly entitled.

Their attention was drawn to the advantages of a

direct foreign trade, and the propriety of laying duties on imports was suggested; the freedom from imposts that prevailed, not tending to the benefit of the province but merely affording facilities to those who would smuggle their merchandise into the neighboring colonies; and they were reminded again of the inconvenience attendant upon having two seats of government.

His Majesty having declared war against Spain, an expedition against the Spanish settlements in the West Indies had been planned. Major General Lord Cathcart had sailed from England with a large force to join Admiral Vernon's squadron in those seas, and was to be reinforced by such troops as might be raised in America, the command of which was to be intrusted to Colonel Spotswood. The pleasure of his Majesty had been signified, that proper dispositions should at once be made in New Jersey to raise as many men as might be procured; and Colonel Blakeney, the adjutant general of the expedition, would shortly arrive, prepared to furnish arms, clothing and necessary funds, with blank commissions to be given by the governor to the officers who might be selected to command the troops. The hearty coöperation of the Assembly was requested in furthering the enterprise.

To this expedition the following letters refer.

GOVERNOR MORRIS TO COLONEL SPOTSWOOD.

Burlington y^e 12 April 1740

SIR:—Yours of the third currant, with his Grace's packet came to hand on the 10th, afternoon, Just as our Assembly was quallifying themselves. I had not a Councill present, they being not easily to be got together, but I sent Immediately expresses to convene them & they are to be here on Wednesday, the 16th, to whom I shall communicate the contents as I have done to severall of our members of Assembly, who are extreemely taken with the thing, & I please myself with the hopes of a

good time if the whims of our quakers don't Interpose to prevent it: but hitherto they seem to like it as well as others. I can't as yet forme any Judgment what numbers we shall be capable of Raising in this Province, but shall with the utmost Expedition this thing will beare, take all the propper measures in my power to do what can be done. I heartily congratulate you on the hon^r his Majestie has done you on this occasion, w^{ch} will be no small meanes of rendering the Intended Expedition successfull. A constitution w^{ch} has stood the shocks of a Virginian air & unconstant clime 25 yeares, its very probable cannot be easily hurt by the assaults of any other in America, & the great share you have in the Continent must Induce you to be very solicitous for its interests, and that of those committed to your care. This I shall mention according to your desire, & hope it will be an Inducement to many to Inlist. We cannot tell what the womb of futurity will bring forth: but Strong Squadrons are generally attended with success; & as you well observe, if such wonders are already done by Admirall Vernon, what may we not expect when he is reinforc'd as intended? I shall by every opportunity let you know the success of my endeavours, & what (if any thing) are like to prove obstacles to them, that by the best concerted measures they may be remov'd. His grace tells me we are soon to expect Coll^o Blakeney: his arrivall will add life & vigour to the designe, & the more particul^r Instructions he is to bring to the governours put us upon the best methods of rendring it effectuell. I Intend to be at this place the greatest part of this summer, unless this affaire makes my presence necessary elsewhere; but whereever I am your Letters & advice will be received with great pleasure by Sir,

Your most obedient & humble servant, L. M.

P. S. May we expect Coll^o Blakely Via Virginia or New England?

To the Hon^{ble} Alexand^r Spotswood Esqr Commander of his Majesties troops to be rais'd in America against the Spaniards.

TO COLONEL SPOTSWOOD.

Burlington May 5 1740

SIR:—Yours of the 26th of Aprill is come. I did myselfe the hon^r of writing in returne to yours that came with the Duke of New Castle's packet, and since that have publish'd a proclamation w^{ch} comes Inclos'd; I have spoke Publickly to our Assembly on this head, and to severall of the members Privately; I wish I could say with success: but I

am not altogether without hopes that something may be done, Tho God knows they are very faint ones considering how many Quakers are amongst them.

I can as yet form no tollerable Judgment what numbers will Inlist. Some of the meaner have, and some servants, as I am told: I have not yet an account of what is done: but by what accounts I yet have the thing seems to take generally amongst the people.

I think this province can well spare one Regiment, but whether we shall be able to procure them I much doubt.

You observe very Justly that the Collonies on y^e Continent very much differ in the proportion their currenry beares to Stirling, and that of each Collony dayly alters; but I do not conceive that will very much alter the case; since they are to be paid in gold or silver or paper currency. A Spanish pistole generally, if weight, goes (if I am rightly informed) from 16 & 3^d to 16 & 6^d Stirl in England; if that be more than their pay I cant see how it can be promis't here, without his Majesties particul' order; and if less? will not they complain of being promis't less than his Majestie allows?

If they are paid in any Collony a reall pistole in gold, & have there spent their pay before they receive it, or are to expend it in that Collony afterwards, they will pay no more with, or have no more for their Pistole than they will pay with or have for so much paper currency as their pistole is then valued at; & so if they are paid 16 & 3^d or 16 & 6^d sterling, they will pay no more or have no more in that Collony, than so much as the gold silver or paper currency in that Collony equall to the sterling Vallue will purchase.

I cannot say which is best and most for his Majesties service, the giving of Bounty money, or the advancing three or four months pay; I believe they may be both best; y^t is to say to promise either the one or the other as it may suit; some will like the one and some the other: but who is to promise this? and by what authority? Had we a fund of money in the Treasury at the disposall of the Govern' & Councill, much might be done; but alas we have no such thing.

You, Sir, who have the hon' to be Intrusted with the command of these Levyes may have Instructions that I am a Stranger to; but I have none yet that empowers me to say more than I have already said in the Inclos'd Proclamation, order'd by his grace the duke of New-Castle; who has signified his Majesties Pleasure to me, referring me to Collo^o Blakeney for his Majesties more particul' Directions on that head: and I should think it the safest way to decline making any other promises till we have farther directions about it.

If I do not misapprehend your letter these are my Present thoughts on the subject matter of it, w^{ch} however are offred with the greatest deference to a person of your better Judgment in things of this kind, & of this in particul^r by

Sir &c. L. M.

To the Hon^{ble} Alexander Spotswood, Esq. Commander of his Majesties troops to be rais'd in America against the Spaniards.

THE LORDS OF TRADE TO GOVERNOR MORRIS.

Whitehall, May 20th, 1740.

SIR:—In pursuance of an Address of the House of Commons to His Majesty on the 25th of April 1740, and of His Majesty's Commands signified to us by his Grace the Duke of Newcastle in his letter dated the 30th of April, you are immediately to prepare, and as soon as possible, transmit to us, in order to be laid before the House of Commons at their next meeting, an Account of the Tenour and Amount of the Bills of Credit which have been created and issued in your Government, that are now outstanding, with the respective times when such Bills so outstanding were issued, with the Amount of the said Bills in Mony of Great Britain, both at the time such Bills were issued, and at the time of preparing your Account.*

You are likewise to send therewith your Opinion what will be the most easy and effectual manner of sinking and discharging all such Bills of Credit, with the least Prejudice to the Inhabitants of your Government and Interruption of the Commerce of this Kingdom.

And We desire, you will use all possible Dispatch in this Matter, that We may have your Return early enough for us to consider thereof, before the beginning of the next Session. So We bid you heartily farewell, and are

Your very loving Friends and humble Servants,

MONSON.
R. PLUMER.
EDW: ASHE.
M. BLADEN.
JA: BRUDENELL.

* The information here asked for made at a later period, in Proceedings may be found embodied in a return, of the Society, Vol. V.

AUTHORITY FROM LORDS OF THE ADMIRALTY TO ISSUE
LETTERS OF MARQUE.

{ L. s. } *By the Commⁿ for Executing the Office of Lord High
Admiral of Great Britain and Ireland, &c.*

Whereas by an Act passed the last Session of Parliament, entitled an Act for the more Effectual securing and encouraging the Trade of his Majesty's British Subjects to America; and for the Encouragement of Seamen to enter into His Majt^y Service, it is amongst other things therein Enacted; That "any Person or Persons in any Part of America, or elsewhere, by us empower'd and appointed, shall, from and after the fourth Day of January, One Thousand, Seven Hundred and Thirty Nine, at the request of any British Owner or Owners, of any Ship or Vessell, giving such Bail and security as have been usually taken upon granting Commissions or Letters of Marque (except only for the Payments of the Tenths of the value of the Prizes which shall be taken, to the Lord High Admiral or Commissⁿ for Executing the Office of Lord High Admiral for the time being) cause to be issued forth in the usual manner, one or more Commission or Commissions, to any Person or Persons, whom such Owner or Owners, shall nominate to be Commander, or in case of death, successively Commanders, of such Ship or Vessell, for the attacking, surprizing, seizing and taking, by and with such ship or Vessell, or the Crew thereof, any Place or Fortress upon the Land, or any Ship or Vessell, Goods, Ammunition, Arms, Stores of War, or Merchandize, belonging to, or possess'd by any of his Majesty's Enemies, in any Sea, Creek, Haven, or River.

These are therefore to empower you Lewis Morriss Esqr. Captain Gen^l & Commander in Chief of the Province of Nova Cesaria or new Jersey, and by these Presents We do empower you the said Lewis Morris Esqr. to cause to be issued forth pursuant to the said Act, by Warrant under your Hand, & the Seal of the said Province, directed to the Judge of the Admiralty of the said Province of Nova Cesaria or New Jersey, Commissions or letters of Marque, at the request of any British Owner or Owners of any Ship or Vessell, to any Person or Persons, whom such Owner or Owners, shall nominate to be Commander of such Ship or Vessell, or in case of death successively Commanders, and to cause such Bail or Security to be taken, as is directed by the said Act, & moreover to cause that in granting such Commissions or Letters of Marque, all other things be had and done conformable to, and as the said Act requires.

For which this shall be your Warrant. Given under Our Hands and the Seal of the Office of Admiralty the 28th May 1740.

J. SHELTON.

THO. CLUTTERBUCK.

H. POWLETT.

To Lewis Morris Esq. Captain Genl and Comm^{dr} in Chief of the Province of Nova Cesaria or New Jersey.

By Command of their Lord^{sh}.

J. BURCHETT.

It was not until the 25th of April that the address in answer to the governor's speech was ready for presentation.

The representatives professed to sympathize sincerely with the governor at the ill success which had attended the attempts at legislation by the previous Assembly, but charity led them to hope they were not negligent, nor answerable for all the delays of that session; and why sundry bills were not passed into laws the House would not undertake to determine. They were of his Excellency's opinion respecting the unwillingness of most men to acknowledge their mistakes, and hoped they might be among those who, although averse to confession, were good and wise enough to avoid a repetition of the same things; and if any man was guilty of acting from the motive suggested by the governor, "let him repent, and resolve to do so no more."

The address throughout was a response, paragraph by paragraph, to the speech. Such of the recommendations as they were not prepared to approve they would take into consideration; and common-place expressions of coincidence of opinion or of views with the governor, meaning nothing—with what might, or might

not, be considered as promises relative to some topics,—made up the sum of that with which the governor was pleased to express his satisfaction, and consider “a good prognostic of success.”

The House sat until the 16th May, when, by permission of the governor, they adjourned until the 27th, at which time they again met; but no indication being manifested of a disposition to aid the expedition against the Spaniards, on the 26th June the governor, by a special message, desired them to make provision for the transportation of the troops raised in the province, until their arrival at the general rendezvous in the West Indies.

The reply to this was a request for leave to adjourn for a fortnight, in order to consult their constituents upon the best mode of promoting the objects of the expedition; but to this the governor, for reasons which will be found stated in subsequent dispatches, turned a deaf ear, and the Assembly were consequently driven into appointing a committee to bring in the desired bill;—which, after some conferences with the Council, was finally passed, and they were then permitted to adjourn from the 5th to the 21st July.

On their reassembling the governor endeavored to procure some changes in the act, but without effect; and on the 21st July they were prorogued, there being no probability of any harmonious action between them and the governor. He very tartly told them, that by their action they seemed to explain the assurance they had given in their address to him, “by a pretty transposition of my own words, that you are very ready and willing to assist me with any ADVICE you are capable of giving: which was by the way a very kind promise; and no doubt (in your opinion) very artfully made.”

GOVERNOR MORRIS TO COLONEL WILLIAM BLAKENEY,
ADJUTANT GENERAL, &C.

Burlington y^e 10th July 1740

SIR:— * * * * * Many have, pursuant to a proclamation Issued by me, given in their names to persons then appointed to take them, & to some others since, & I have told severall of them that I conceiv'd their pay would be due from the time of Inlisting, w^{ch} I understood to be the time of giving in their names as persons y^e were willing & ready to serve his Majestie when call'd upon, & I believe some of them will expect their pay from that time if they take the oath of fidelity when tend'red; the omiting of it before, being not their fault—I am told severall of those who have given in their names make no scruple of going into New York & Pensilvania and inlist there a second time, w^{ch} retards the making up our levyes and is very prejudiciall to us, but what has been more so is Captain Provosts coming into this Province to beat up for Vollunteers, and Inlisting men here without my leave for his so doing, and actually carrying away sixteen men, 8 of w^{ch} had been Inlisted here; this has very much disgusted the people in generall & has and will prove very prejudiciall to the service if some propper notice be not taken of it. By what I gather from yours I am to substist only two Companies for this province, but I am ordred by his Majestie to raise as many men as I can, & am in hopes I shall be able to raise more than two Companies, or three, and would be glad to know how they are to be subsisted. Your proposall of advancing money to be repaid in New York may Perhaps be very convenient for the people of Pensilvania, who I am told deale much at New York and may want money there; but by the enquiries I have made I am told it will not do so well here; for the money here being, as it goes, from $2\frac{1}{2}$ to $2\frac{3}{4}$ better than New York currency, if the advance is paid Sterling at New York Exchange it will be a loss to him, besides the expense & risque of bringing the money from thence; & those I have communicated this matter to do say that it is not to be expected that any body will advance money, if to be at the charge and risque of bringing his own again from New York only in a different species, w^{ch} according as he takes it may prove of loss to him, and at best will be of no further use to him than what he had before—They say farther that if the troops are to be paid in Sterling specie, they can be as well paid in Sterling specie upon the spot here as in New York, & y^e Exchange (whatever be the difference of it) is out of the case

unless it be to procure bills, of w^{ch} there is no need when specie is to be paid. These objections are submitted to your better Judgment; for my part I make no manner of question that if his M^{tie} thinks it for his service that the troopes rais'd in each province should for any time be paid by the severall Governours, he will provide meanes for their doing of it without any loss or Risque to themselves. I am &c

To the Hon^{ble} Coll^o William Blakeney adjutant Generall of all his M^{ties} forces to be employ'd against the Spaniards in the West Indies.

TO COLONEL WM. GOOCH, LIEUT. GOV. OF VIRGINIA.

Burlington 14th July 1740

SIR:—I have the hon^r of yours of y^e eighth of this month by Mr Lyon, wth the Commissions for two Companyes to be rais'd in Jersie, but the Duke of New Castle tells me that tho Coll^o Blakeney brings arms but for 3000 men, it is his Majesties pleasure I should raise as many men as possibly I can: & I am directed by his Majesties Instructions, that if the number of blank Commissions sent me be more than the Companyes rais'd here do require, I should return the remainder to one of his Majesties secretaries of State. As I understood by these that I should, if I could, raise more men than Coll^o Blakeney brought arms for, so I naturally supposed there would be a number of Commissions sent to be given to officers for those supernumerary men; & accordingly I have made promises to four Persons, that if they could raise Companyes (as they said they believed they could do) I would give them Commissions if in my power to do it. Two of these, I have been told (but how truly I do not yet know,) have completed their Levyes, & y^e other two have made a considerable progress. I shall soon know from Mr Lyon, who is to Informe himselfe, what numbers they have got. Besides these there is an account given the Secretary of 93 Inlisted, & the Sherrif of Morris County has an account of between 30 & 40 more. I have no account of any Inlisted in Salem, Glocester, & Cape May Counties. Salem is one of the most populous Counties in the Province but a great part of the people Quakers, as they are of Gloster; but there are also many of other perswasions, and many Swedes; & it is suppos'd by those who are good Judges, that besides those Inlisted here allready, a full Company may be got in the Western Division of this province. Besides these above I have an account of nigh 30 that have given their names, who owe small debts, and therefore desire their names to be conceal'd, lest they should

be thrown into a jayle : & many in such circumstances would Inlist who owe trifling debts could they be safe in doing so. This is the best account I can at present give you of what numbers are rais'd, by w^{ch} it seems probable that two Companies can soon be made up, if not allready done : & I believe from my owne knowledge of the Country, & the best information I can get, 500 men may be rais'd if Proper Incouragement be given, w^{ch} I am affraid is not to be expected from an Assembly of the kind I have to deale with : but if no more than 200 are to be rais'd it seems needless to attempt farther ; if more, it seems to me very difficult to do it unless there be commissions to be given to officers to command them : and if more are to be rais'd, I would be glad to know how they are to be substed. As to servants & debtors not taken in execution, or against whom Judgments are not obtain'd, the King may be graciously pleas'd to dispense with their Service, and take others : but I take the law to be very cleare that if such will Voluntarily offer their Service the King may make use of it if he pleases. I did give private orders to be very cautious of Inlisting Servants, & I have not heard of above two that are Inlisted : the Debts owing are generally small & too generally greatly augmented by Extravagant Costs, & the lawyers more the losers of what they are said to extort than the reall Creditors : but be the debts great or small, they are such as the poor debtor is unable to pay. I have many petitions on this head, & our Jayles are fill'd wth miserable wretches who had better be any where else than there : and in this I persuade myselfe you Joyn in sentiments wth Sir &c.

To the Hon^{ble} Coll^l William Gooch Lieutenant Govern^r of Virginia at New York.

TO GOVERNOR THOMAS, OF PENNSYLVANIA.

Burlington, July 16, 1740.

SIR:—I have been so busy that I could not sooner answer yours of the 9th current. Before it came to hand Long had brought his hab: Corp—& was bailed.* I was told by the Sherrif that he did by no meanes care to go to Philadelphia, because some persons taken up some time since on y^e same account, and really guilty, yet having some quirk of Law in their favour, were not admitted to have the advantage that quirk gave them ; and of this he complain'd : this render'd him very suspicious to me : however the ch: Justice bayl'd him. Since that time

* Presumed to have been accused of counterfeiting Jersey bills of credit.

there is another discovery w^{ch} I have got by the End y^e I believe you'd be surpris'd at. Our Speaker had from y^e Agent all the accounts you gave me, if not something more, about the Jersie bills, (but of that I cant be at present positive,) this acco^t he lay'd before the house and it was all to be a mighty secret. Joseph Cooper one of the members of the house ask'd the favour of reading them on the promise of returning them safely, had them, but it seems notwithstanding the promise of secrecy coppys of them were sent to this Long by one Randall, w^{ch} (if Long was guilty) gave him an opportunity of destroying every thing that would tend to the Discovery. Long readily deliver'd the papers to the Sherriff on his demand and they are wth the Ch: Justice who is gone to Amboy to wait upon Mr Gooch, so y^e I have not as yet look'd over them; but I am told one of them is in Cooper's hand & some of them in Young Leaming's. If so, fine Assembly men, & who may we not suspect?—perhaps it may be an usefull discovery. I'll endeavour to procure some of Longs writing for you.

I should not have been against shewing Mr Kinsey what I sayd on your queries, if they were not shewn him as done by me, because that might possibly hinder him from attempting a reply w^{ch} may convince me or himselfe. I take the law to be as I have said, and y^e stat. of 11th of Hen: 7th, chapt^r y^e 1st is a full answer in point to your queries wthout more. That act is declarative of the Common Law, Shews that every subject is by his allegiance bound to serve the King in his warrs within the Kingdom, or without, by his Commandment, and y^e all actions of what nature soever brought against them for so doing are void, and consequently so against any officer that detains them, for quid prohibetur in directo prohibitum etiam in obliquo. But the question with me is not so much what can legally be done, as what (all things considered,) it is prudentiall to do. I have wrote to Coll^o Gooch & to Coll^o Blakeney it was my opinion y^e servants, & debtors too, may inlist if they pleas'd. I have not one word in answer to that from Coll^o Blakeney, but Coll^o Gooch is of a different Sentiment; and in Virginia has constantly discharg'd all servants that men claim'd, & conciev'd no law can take a debtor from his creditor without his leave. I answer'd that the King might dispense with the service of either if he was graciously pleas'd to do so; but that I took the law to be cleare, that if servants or debtors not taken in execution, or having Judgments against them, would voluntarily Inlist, the King might make use of their service. To this perhaps he may speak when I have the hon^r to see him; but we may guess the consequence of that opinion & verbum sat sapienti.

[A paragraph follows alluding to a letter from Colonel Blakeney respecting advances of money.]

* * * * * Broad hints or any hints to some such as you and I have to deale with signifie very little. I have labour'd the point and got an act pass'd by Councill & Assembly for £2000 for transports &c w'ch I never had got if they had been suffer'd to stirr from hence before they pass'd it; but such an one!* 'tis truly an originall,—such complication of Blunders Incoherencies & low craft, that if they cannot be prevail'd on to consent to the passing of another in a different forme (which their Impenetrable obstinacy will render it very difficult to do,) it will go almost as much against my grain to consent to it as it did against theirs to do what they have done. Your Constitution seems to me a very odd one, in your Assemblies adjourning themselves; and a power in you to call them together before the time they are adjourned to. I believe it would puzzle our best lawyers to prove that the Laws made when so call'd together are binding, but that I have nothing to do with. The reason of their adjourning at this time seems to me too evident to be deny'd, or palliated by the cobweb pretence of a rumor. I am sorry to see them give such a handle to their enemies which may tempt them to say government is not to be trusted in such hands: & I should be glad for their sakes that they may not have reason to repent their conduct. I am affraid you guess but too rightly at your success: and tho' I own I have but little reason for hopes, yet I have some, tho' very faint ones, that things may turne out better than is expected either by you or Sir,

Your affectionate humble servant.

To the Hon^{ble} George Thomas Esqr Govern' of Pensilvania.

P. S. I wish I could say I had a secretary as well as you: but I cannot learn there is any such man to be got for money; and what is more I have none to give one.†

* See subsequent letter to Duke of Newcastle, dated August 18th, 1740, for his particular objections.

† These copies are all in his own handwriting. The letters seem to have been first written in the book, and then corrected and transcribed for transmission.

THE LORDS OF TRADE TO GOVERNOR MORRIS.

Whitehall, August the 1st, 1740.

SIR:—His Majestys Attorney & Sollicitor General having received Directions to prepare & lay before The Lords Justices a Commission to be passed under the Great Seal of this Kingdom (The Charges of which & the Execution thereof, the Agents for the Massachusetts Bay & Rhode Island have agreed are reasonable, equally to be born by both Provinces) appointing Cadwallader Colden, Abraham Vanhorn, Philip Livingston, Archibald Kennedy, & James De Lancey Esq^r of the Province of New York; John Hamilton, John Wells, John Reading, Cornelius Vanhorn & William Provost Esq^r of the Province of New Jersey; And William Skene, William Sheriff, Henry Cope, Erasmus James Philips & Otho Hamilton Esq^r of the Province of Nova Scotia, Commissioners for marking out and settling the Boundaries between the Province of the Massachusetts Bay and the Colony of Rhode Island Eastward, Care being taken that private Property shou'd not be affected thereby; We are to acquaint you, that you are required to inform the Commissioners resident in your Province of the Time & Place intended to be appointed by the said Commissioners for the first Meeting of the said Commissioners, & to recommend it strongly to such of the said Commissioners as are able to go & attend this duty.

For your further Information in this Affair, We send you a Copy of an Order in Council dated the 10th of July last, & expect that you do take particular Care without Delay to carry every particular thereof, so far as the same may be in your Power, into Execution. So We bid you heartily farewell, and are

Your very loving Friends and humble Servants,

MONSON

W BLADEN

JA: BRUDENELL.

P: S: *August 19th, 1740.* Since We Sign'd this Letter, the Lords of the Committee of Council have changed the time of the first Meeting of the Commissioners from the first Tuesday in *March* to the first Tuesday in *April, 1741.*

MONSON.

BY THE LORDS JUSTICES.

Additional Instruction.

JO CANT

WILMINGTON, P

HERVEY C P S

GRAFTON

MONTAGUE

LEWIS MORRIS Esqr Captain General and Governor in Chief in and over His Majesty's Province Nov Cæsarea or New Jersey in America; or to the Commander in Chief of His Majesty's said Province for the time being. Given at Whitehall the 5th day of August 1740 In the Fourteenth Year of His Majesty's Reign.

{ L. S. } Whereas an Act of Parliament was passed in the 6th year of her late Majesty Queen Anne, Entitled *An Act for ascertaining the Rates of foreign Coins in her Majesty's Plantations in America*, which Act the respective Governors of all the Plantations in America have from time to time been instructed to observe and carry into due Execution; And Whereas, notwithstanding the same, Complaints have been made that the said Act has not been observed as it ought to have been in many of His Majesty's Colonies & Plantations in America, by means whereof many indirect Practices have grown up and various and illegal Currencies have been introduced in several of the said Colonies and Plantations contrary to the true Intent and Meaning of the said Act and to the Prejudice of the Trade of his Majesty's Subjects—In Consequence of which Complaints an humble Address was presented the last Sessions by the House of Commons to his Majesty “that he would be graciously pleased to require and command “the respective Governors of his Colonies and Plantations in America “effectually to observe his Majesty's Royal Instruction directing them that “the Act of the 6th Year of the Reign of her Majesty Queen Anne Entitled *An Act for ascertaining the Rates of foreign Coins in her Majesty's Plantations in America* be punctually & bonâ fide observed & put “in Execution according to the true Intent & Meaning of the said Act” It is therefore His Majesty Royal Will and Pleasure and you are hereby strictly required and commanded under Pain of his Majesty's highest Displeasure and of being removed from your Government to take the most effectual Care for the future. That the said Act be punctually & bonâ fide observed & put in Execution according to the true Intent & Meaning thereof. And to the end that his Majesty's Commands herein may be fully made known to all His Subjects within your Government

and that none of them may pretend Ignorance thereof, you are hereby further required and commanded to publish this Instruction in such manner as may best answer his Majesty's Gracious Intentions herein signified.

And whereas for preventing the many & great Inconveniencies that had arisen in some of his Majesty's Colonies & Plantations in America by passing Laws for striking Bills of Credit & issuing out the same in lieu of Money the respective Governors & Commanders in Chief of his Majesty's Colonies & Plantations for the time being have been particularly instructed not to give their assent to or pass any such Laws for the future without a Clause be inserted in such Act declaring that the same shall not take effect until the said Act shall have been approved and confirmed by his Majesty his Heirs or Successors: And whereas notwithstanding such his Majesty's Commands to the said Governors in that Behalf, Paper Bills of Credit have been created & issued in his Majesty's said Colonies & Plantations by virtue of Acts of Assembly there, making it obligatory on all Persons to take such Bills of Credit in payment for Debts, Dues and Demands, whereby the good Intentions of the aforementioned Act of the 6th of her late Majesty Queen Anne for *ascertaining the Rates of foreign Coins in her Majesty's Plantations in America* has been frustrated & great Discouragement has been brought on the Commerce of this Kingdom, by occasioning a Confusion in Dealings and a lessening of Credit in those Parts: And whereas an humble Address the last Session of the House of Commons to his Majesty "That he would be graciously
"pleased to require and command the respective Governors of his Colonies & Plantations in America punctually & effectually to observe his
"Majesty's Royal Instructions not to give Assent to, or to pass any Act
"whereby Bills of Credit may be issued in lieu of money without a Clause
"be inserted in such Act declaring that the same shall not take effect
"until the said Act shall be approved by his Majesty" It is therefore his Majesty's Will & Pleasure & you are hereby also further required & commanded under pain of his Majesty's highest Displeasure & of being removed from your Government, punctually & effectually to observe his Majesty's Royal Instruction not to give assent to or to pass any Act whereby Bills of Credit may be issued in lieu of money without a Clause be inserted in such Act declaring that the same shall not take Effect, until the said Act shall be approved by his Majesty, his Heirs or Successors.

J. C. H. C. W. P. H. C. P. S.
M. G.

TO COLONEL BLAKENEY.

Burlington 9th August 1740

SIR :—I have yours of y^e 21st & 24th of July with the 1st 2nd & 3rd bills for £667—3—0 Sterling w^{ch} I would sooner have acknowledged the receipt of but have been in such a continued Hurry that I could not. I have got three Companies compleat under the Commands of Captains James Hooper, George Thomas and Robert Farmer Esqrs—y^e two last were fill'd on the 6th of this month & not sooner. I have had much Trouble about their pretences to precedency. Farmer produc'd lists of his being full on y^e 2nd, but comparing these lists in Council with the Certificates of the Justices, one of w^{ch} was his brother-in-Law, who had certified amongst others 12 men as sworn by him w^{ch} was upon examination found certified by others as sworn & Inlisted by them, & therefore ought not to be reckon'd from both the certificates but from one only, otherwise they would have appear'd to have been 24 instead of twelve. Another brother of his, a magistrate in New York Government, had certified nine sworn & Inlisted by him in that Government; but Farmer the Captain own'd they were not upon the spot nor did they ever appeare. The most charitable opinion was that these might be mistakes proceeding from the Ignorance or inadvertence of the certifiers & not real frauds to obtain the Commission, tho they seem'd to be so, and upon Comparing the Certificates it appear'd there were not a sufficient number certified, & that his Company was not full as was alleged by him; nor did it appeare by any sufficient voucher that those certified were upon the list. Captⁿ Thomas on the other side own'd that his Company was not full but we had sufficient Vouchers that he had March'd 75 down to Amboy and that more were following. To prevent any Imposition I order'd both their Companies should be drawn up, Capt Thomases in Amboy & Captⁿ Farmer's in Brunswick, & should be view'd by the British Lieutenants; viz Thomases by Lyon, & Farmers by White, & that they should see them all sworne before persons by advice of Council named & appointed, & certified accordingly by the Magistrate & Lieutenant: & the Council advised that such of these two as should have his Company first full should have the Commission I had left, given to him, & a certificate to the other, but if they were both fill'd in one day then to such of them as the Council should advise to be most for his Majesties service. * * *

[A paragraph follows detailing the discrepancies in the returns of the officers of the number enlisted.]

Thomas having behav'd with much modesty, & being a man of more age and Experience, & having seen more of the world than the other, the Council unanimously advis'd I should give him the blank commission I had left, w^{ch} I have accordingly done, & a certificate to Farmer. Upon my giving him the certificate, he desired time till y^e 24th of this month to consider of it, saying he had been at great expence & if he could be reimburs'd, seem'd to hint at throwing of it up: so that the men might go about their business. I would not give him any such time of consideration (w^{ch} I suppos'd he desired, in order at that time to throw it up y^e 24th being pay day & then y^e Company might scatter) but told him I expected he would keep his people together & prevent their deserting; this he said it was not in his power to do. He seems much disgusted for not having the Commission, & may perhaps be weak enough to encourage or wink at desertion: so y^e if he declines there may not be a company. He is a vain young man but to do him Justice, has been very diligent in getting his Company together; w^{ch} I take to be his only merit. I have been thus large on this head, because it has been hinted he or his friends design'd to apply to you in the Case, & 2^{dy} I would be glad to know if he does throw up, & the men desert, what to do; for I think any Contrivance of that kind in him to gratify a resentment would be highly criminall.

As to the bills I am at a loss what to do with them. I am told there are great quantities of private bills in Pensilvania to dispose of & that I cannot get them off there, but that New York is the only place to sell them. One Baynton here tells me he has orders to ship 40,000 bushells of wheat & has £1000 in bills to dispose of and cant sell them. It's said Jersie money is rose 5 pr cent in New York, that the exchange is not above 62½ Jersie money & falling. Pay day will be soon at hand & I would be glad to know what to do, for I believe I cannot get them dispos'd of here for so much as 62½ pr cent, (if at all,) no body here having sums of Jersie money by them. I am Sir wth great regard &c.

To Coll^o Blakeney.

TO COLONEL BLAKENEY.

Burlington August 14th 1740

SIR:—I wrote you on the 9th of this month giving you an account that we had three Companies full. I could have rais'd two more as I believe had there been Commissions sent as was expected from his

Grace's letter : these not coming has put a great damp upon the thing, and will render the raising of future levyes very difficult to be done if his Majestic should have any occasion for them ; for notwithstanding all I can say, the people are grown verry doubtfull whether Commissions will be given to such as have warrants & certificates or not, and it's said many in Pensilvania begin to doubt whether the Expedition is Intended to be carryed on. I have got £2000 from our Assembly to be employ'd for transports &c, and we are getting them as fast as we can : one of the managers told me yesterday he had sold a bill of Exch for £100 Sterling at 60 pr cent Jersie w'ch was the most he could get & y^t Government bills would not sell so readily as private men's : this I Judg'd proper to let you know & am Sir &c

L. M.

To Coll^o Blakeney at New York.

P S. Aug 16th, the same person who sold the bill and has many to sell told me he believ'd they would fall to 55, if not lower, & that N York was the only place to dispose of them in.

TO COLONEL BLAKENEY.

Burlington 21st August 1740

SIR :—I am glad by yours of the 10th Instant to find that things are in so much forwardness in England which ought to sylence those who would have the contrary believ'd ; but our expeditions to America have been generally not so strongly conciev'd, as to hinder their proving abortive ; and men who are so wickedly dispos'd as to desire it so, are too easily believ'd.

The mercantile part of men are much alike every where, and the making advantages by the rise and fall of Commodities (w'ch its plenty or scarceness will occasion) is the art, craft, or mistery of their trade, and a knowledge they serve seven yeares to acquire ; and those who have the best knack at deceiving are most masters of their craft : but besides that, the case really is there is said to be a want of Jersie Specie hereabouts for the purpose which makes the thing allmost Impracticable.

All their pretences against Government bills (whose pay is known to be good) are easily enough answered to reasonable men ; but making these pretences is part of their trade : the buyer allwaies depreciating the Commoditie.

I will do what I can to get them off, w'ch, if I can do it, will be a great pleasure to Sir &c

L. M.

To Coll^o Blakeney at New York.

TO ANDREW JOHNSTON, SPEAKER OF THE ASSEMBLY.

Burlington August 26 1740.

SIR:—There being 3 Compleat Companies, two of w^{ch} are dayly exercis'd at Amboy and the other within 12 miles of it, I perswaded mysele that you had made some provision for the transportation of some of them; and wonder'd that I did not heare from you on that head. Mr Baynton has one ship & can get one Briganteen: w^{ch} I suppose he has let you know; but tells me he cannot learn that you have yet secur'd any vessell; nor did I understand by your letter (w^{ch} he shew'd me) that there was any provision secur'd, but y^e you could have them; and as I understood by it expected directions from me. So far as I could guess at the meaning of yours, because by the Act they made concerning this matter, they seemed to Intend wholly to exclude me from meddling or directing any thing in the disposition of the money apply'd to that use, or indeed from knowing any thing about it:—Choosing their own managers for that purpose, and making them accountable solely to themselves;—and persisted in this after I had pointed out what I conceiv'd they were deficient in: So that I could not Judge mysele to be farther concern'd than to order the men on board when there was suitable provision made for their transportation, w^{ch} I was in dayly expectation to heare was done: or in case the money prov'd deficient to have known what the deficiency was, that methods might have been fallen upon to supply it: which I had directions to do. They should be at the Capes of Virginia by the middle of September, and I hope there are vessells & provisions ready for them, that I may order them on board. That being what the managers must have known was necessary to be done, if the house really meant it should be done: and if not I should have knowne it, that I might have taken some measures to have it done mysele.

They should have wholesome Vessels 3 tons to two men; the provisions for three months at least; the quantity and kind such as are us'd and allow'd on his Majesties ships of war; of w^{ch} the Captains at New York can informe you. There should be bowles and platters for them to eat in and spoons to eat with, currans, raisins, and rice or oatmeale in case of sickness; wine or rum; but of this the Captains can best informe you. There should be blankets also provided for the men; at least one for two men in my opinion; but the usage in New York & Pensilvania

(if not inconvenient) may be a direction in that case. Mr Baynton should be corresponded with here, & expresses made use of if necessary, so that this affair may not be delay'd ; and that each may know what quantities of provisions and Tonage to provide, and y^e I may make dispositions of the men accordingly,—when the Vessells are hir'd & the provisions bought, I should know of it as soon as may be, that I may order propper persons to measure the Vessells & inspect the provisions. If you provide for the transportation of two Companies, Baynton need provide but for one, so if he provides for two, you need provide but for one : in either of which cases one or two Companies must be moved to this place ; and waggons &c to carry the baggage & (as I take it) provisions on the road provided ; that being part of their transportation.

I have wrote as fully as I can what occurs to me on this head ; but as you are let into the secrets of the house and must truly know their meaning & intention, and how they would have y^e money dispos'd of that seemes to be apply'd to this use, or whether dispos'd of at all ; (nothing that I can learne being perfected as yet ; but measures taken only inchoative (unless by Baynton) & in ordine ad to proceed or decline as the managers Judge Propper) so you can best tell how far, agreeable to the intentions and secret resolutions of your house, & y^e trust & confidence they have repos'd in you, it is propper for you to take notice of all, or any thing I have said concerning this matter, so as to govern yourself by it.—All I shall add is, that if the house really intended to provide transports &c the sooner it is done the better ; if they did not the sooner I know of it the better, that I may (if possible to be done so late) make the propper provision for their transportation &c that the thing (as far as I can prevent it) may not be defeated. Thus much for that.

The Capitaines and Companies begin to be very pressing for their pay, & I have bills of Exchange that I cannot here get money for : you are to remit money to the agent ; if you have not got a bill I can supply you for as much as you have to remit. I having bills for £600 & odd £'s Sterling, & shall have more. I had thoughts if I could get them dispos'd of, to meet the Assembly and propose the signing more of the bills made to give in exchange for torn ones, and lodge in their places the bills of Exchange to be sold, and replace the money arising by the sale in y^e stead of those taken out : please to give me your thoughts concerning it.

If your old wine is not gone, lay by two pipes for me that I can depend on for good. I hope this will find you and your family in health to whom make the tender of my regards & Service acceptable and be assured that I am very much Sir your Affectionate friend & very humble Servant,

L. M.

Postscript August 28. I have hyred Dagworthys house at Trent-town. Let Mr Still know this that he may get a tenant. I am to enter the first of November next. I have reciev'd the wine you sent to Trent-town yesterday & your letter Just now by chance.

To Andrew Johnstone Esq^r Speaker of the Assembly and Mayor of Perth Amboy.

TO COLONEL BLAKENEY.

Burlington y^e 28 August 1740

SIR—The Captaines of the Companies rais'd in this Province have been pressing upon me for the payment of subsistances for them and their Companies, there having been three Compleat since the 6th of this month and are so still, w^{ch} if not paid it will soon be very difficult to prevent their deserting. I am very much concern'd to tell you I cannot pay them, not being able to dispose of the bills you sent me, there really being a want of the currency of this province in the hands of the few trading men here that remit money to England, the goods vended here being chiefly purchased in New York & Pensilvania and the payments made in those places: and the money paid to the farmers for corne generally hoarded up to purchase lands for their children. The people of Pensilvania often send bills of Exchange to New York to purchase Jersie money to buy wheat with, w^{ch} they will not part with again for bills. This wheat they export to Lisbon & receive bills of Exchange in payment of, w^{ch} they have now great quantities in Pensilvania to dispose of; this makes so great a scarcity of Jersie money in this province that it is Impracticable to get them you sent off here, I therefore return them to you by the bearer, the secretary of this province, to whom I refer you for a more particular account and am with great regard Sir &c

L. M.

To the Hon Coll^o W^m Blakeney adjutant Generall of his Majesties forces to be employ'd against the Spaniards in the West Indies—New York.

Under date of August 31st, he briefly informs the Duke of Newcastle of the measures adopted to advance the expedition.

TO ANDREW JOHNSTON.

Burlington Sept 4th 1740

SIR:—Yours of the 2nd Instant is before me. I cannot say more than I have said on the head of the Companies. * * * * *

[Paragraph relative to transports—if not obtained, the managers censurable for neglect.]

* * * * * I had consulted the members of this town on what I wrote to you,* who were much of your opinion. What I gathered from them as their reason was that it would be an expense to the country, this I took for an apparent reason and not of any great weight, because the country (with due reverence be it spoken) pays not one groat to it:—So that I am still at a loss for the real reason, unless it be the thorough knowledge they had of the disposition of their bretheren with respect to any proposall relating to this affaire. I have dropp'd the affaire at present, but would be glad to know any good reason against the thing besides the particular Inclinations of the members.

I hope the soldiers are come to a better temper since by this time I suppose they are well assur'd of their pay; especially since they are gone to a place where they can get a shirt wash'd w'ch they complain could not be done at Amboy. I am glad good words prevail'd upon y^m to prevent their desertion; but cannot help thinking desertion would have been less easy than at present, if our Assembly had taken any measures to prevent it, as it was in his Majesties name recomended unto them to do; and w'ch (I believe you'll allow) they did not want time but Inclination to do.—I believe Coll^o Blakeney cannot help being uneasy at not hearing from home. I confess it gives too much room to surmise something like what you say; whatever be the reason of it, it leaves us much in the dark; yet tho we cannot account for the conduct we ought not to be negligent on our part; but make speediest and most effectuell provision we can for the transportation of the troops; w'ch I suppose was Intended to be understood the meaning of the Act. Baynton has got one snow at the wharf and I am made to expect a briganteen; but of this he can give you accounts most to be depended on.—Your account of the wine is not a little refreshing, & I am in hopes, when this puzzling affaire is over, we may take chirruping glass together and disperse all the clouds and mists about it, w'ch nobody more desires should be done than

Sir &c L. M.

* The proposition to call the Assembly together.

TO ANDREW JOHNSTON.

Burlington September 22d 1740

SIR:—I have now before me a letter of yours to Mr Baynton of y^r 15th passt by w^{ch} you suppose there must be a mistake somewhere: I observe also what you say with respect to the Duffall coates & that you will not venture to follow the example of New York or Phila^d farther than you think our Law will warrant you in doing so; in which you say you believe you shall act right. It may be so, if you rightly apprehend it: but not otherwise. You say that you had provided according to the method of New York a ton to every man. If their Act so directs ours doth not: whatever meaning your house had in the act they best know; but it being now an act, the Judges, & not any branch of the Legislature will have the construction of it according to what they Judge the meaning of the whole. The raising of forces here would have been useless if they could not be transported to the place where they were to act: & which must have been done whether the Assembly had provided for the doing of it or not: but they took upon themselves to appoint trustees to hire vessells they ought to have hired so many as were truly sufficient for y^r purpose: because the main end of the Expedition & the act relating to it was to be comply'd with as far as they could do it, & I think they could have provided vessells sufficient if they would have done it, wh^{ever} else they fail'd in. I dont mean by this that they should have lay'd out more money than the £2000 given by the Assembly: for if the Assembly had given but £200 instead of £2000 no more yⁿ that £200 could have been apply'd by the trustees to that use; but it would not from thence follow that the men could not be transported, nor provisions & other necessaries found, tho the Assembly had not provided a fund for the doing of it:—& if you'll please to look back to my letter of the 26th of August * * * [a repetition of the points raised in his previous letters follows.] On the 31st of July y^e Assembly rose & on the 6th of august the three Companies were known to be full, or very nigh it, so that it was known by all the trustees what numbers of men were to be provided for, & it was their business to agree amongst themselves what each of them should do; & when I knew what they had or would have agreed on it was then time enough for me to Interpose with my advice if what they had agreed on appeared to me Inconvenient:—& whether that advice would have been taken or not may be guess'd at from what is done. It appears from your letter so late as the 8th of 7^{br} that no one vessell

was then hyred by you : but that you had wrote to your friend at New York to secure one : but of what burthen and whether a single or two deckt vessell, or, whether your friend did, or could secure that vessell, did not appeare to me by anything you then wrote, or had written before, & the 8th of September was very late to hire vessells & get them fitted for the convenient transportation of men to be at Virginia by the 15th, and scarcely possible to be done : & therefore before yours of the 8th of September, it appear'd to me necessary to desire Mr Baynton to hire another, there being at that time no certainty that you had hired any, & the season too far advanc'd to admit of delay. I farther observe from yours of the 8th of September y^t considering how the Companies were circumstanc'd you thought it most convenient that the two Companies w^{ch} were still in your parts should be Imbarked then & you determined to proceed accordingly. The 8th of 7^{br} was a very late determination, if you could have agreed and determin'd sooner (which I advis'd the employment of expresses to forward the doing of,) it had been much better for the service, but until yours of the 15th to Mr Baynton I did not know that you had provided any vessells nor that y^e provision was made according to the New York estimate of one man to a ton, which is very different from my advice or direction (call it w^{ch} you please) of three tons to two men (closer than w^{ch} (by the best information I can get) the men cannot be carry'd with any tolerable conveniency or indeed safety) & is now done at y^t rate in Pensilvania at the kings expence. I must therefore refer it to you how far your conduct in this case shews you had a regard to my direction or advice? it is now the 24th of September & Just now I got your letter of yesterday by w^{ch} I learn y^t you have discharg'd one of the vessells & have now only one left w^{ch} the captain tells you can carry about 130 men. If you had told me how many ton that vessell was of, I should have been able to tell whether she could have carryed 130 men or not ; but admitting that she can, how are the other 20 to go ? for y^e vessells here being 225 tons can carry but 150 men & there should (in my opinion) be other 225 tons to transport the other 150 men : so y^t if you had kept the other vessell, if both together did not make 225 ton even both your vessells would not have been (if so many men there be) sufficient for the purpose. I am told one of your vessells was a sloop w^{ch} is a single deck'd vessell & by no meanes fit for such a service. I believ'd with you, or those of New Yorke, that 100 ton may carry 100 Seamen or servants, but as is generally agreed here, not 100 Soldiers fit for the Kings service into a hot country, so as to keep them in a tolerable state of health, & land them in a condition fit to be Employed in the service they are Ingag'd in ; &

to send them without such a provision of room and in such suitable vessels as gives probable assurances of their safe and healthy transportation would be in my opinion a means of so far defeating the enterprise, and sending the men to destruction; w^{ch} I am determin'd as much as I can to avoid by allowing three tons to two men;—that being as little as can be done with probable hopes of transporting them well. I therefore Pray that you will favour me with a direct and Categorical answer to the following questions viz—first is the vessell you have hired a single, or a two deck'd vessell? 2nd what is her true burthen? & how do you know it? 3rd how is she fitted, wth apartments or other wise for the lodging of the men? 4 Is she well & sufficiently provided & found wth respect to her Anchors Cables rigging sailes & conveniences for the men to dress their victuals? 5th Can you or will you provide a fit & suitable vessell or fit & suitable vessels that together with this you have allready can transport 150 men at the rate of 3 tons to 2 men? 6th if you cannot provide shipping for so many at the rate above, what can you provide for, & in what time? These things I should know as soon as possible, & by Express, if you can answer sooner than the return of the Express; because if things are so circumstanc'd your way that you cannot make suitable provision there, I must try if it can be done here & therefore the sooner I know it be better, the time being pressing.

As to the Duffal Coates &c they are design'd instead of Blankets which were necessary, & I think falls under the head of other necessities. This seem'd to me and others to be designedly omitted in the Act, & your answer to Mr Baynton seems to confirm it & (by what appears to me) agreeable to the secret resolutions of the House known to you of making no provision for any thing but victuals; for (if my memory dont faile me) I was inform'd that at the Conference when that Omission was urg'd to be amended, it was reply'd that it was needless to make that amendment; for, notwithstanding that Omission, all other necessities were intended; if this be true, how sincere they were in that reply your answer about the Coates gives roome to guesse. But be that as it may, tho they really intended to provide a sufficient quantity of victuals, & it was absolutely necessary to be done, yet if what they allow'd would not do that it was never intended to charge them. Nor could they be charged with any greater sum than they allow'd for that purpose; tho' short of what was necessary to be expended; for the thing was to be done tho they had not allow'd one Groat towards it. I am Sir &c.

To Andrew Johnston Esq at Amboy.

TO ANDREW JOHNSTON.

Burlington 30th of September 1740

SIR :—Yours of yesterday is come to hand by Weekes, if you had provided the Duffal Coates they would have been ready & you would have been paid for them : wishing you could answer the making such a charge to the province, has to me no meaning that I can understand, unless it be that the sums appointed by the province would not answer such a charge, or that it was not agreeable to the directions of your house ; but in either of these cases if you would have understood my letters, from them you could have seen y^t no greater sum was Intended to be charg'd or could be charg'd to this publick than was appointed by the Law : but that every provision made otherwise or beyond what that allow'd, was to be paid another way, as you seem slow to see in the case of Captⁿ Hooper. My directions or advice tho not desired of me, but Indirectly hinted to a second hand to be wanted, had not when given (as appeares) any effect with you, wth Respect to the tonnage or any thing else : nor do I understand that the Law gave you any power to do more than to hire ships & provide provisions for the transportation of the troops as far as the money given would go : but not to determine what number of tons was fit to transport them in, or where to send them, & many things besides, w^{ch} I think was out of the trustees province : however as you have taken it upon you, you will be answerable for the Consequences. I wish in my turne that every thing may turne out well for the sakes of every body concern'd, but I think a better provision yⁿ a ton to a man ought to have been made w^{ch} I would have done had I known it timely enough, but your late provision of Vessells put it out of my power ; so of that enough, if not too much in this place.

I am glad Captⁿ Hooper is got on board with his men : if I had known from you or him how many men was put on board I should have been able to Judge how many men to order to this place. We can make a shift to stow 60 or at most 70 of Thomases men here if you can make a shift to transport the rest. I have by this Express order'd him to this place ; y^e Act of the 13th of the present King (w^{ch} extended to the plantations) requires the Aid & assistance of Justices, Mayors &c in the teansportation of their baggage &c. I think it is in substance (bating the extending clause) much the same of former Acts w^{ch} Nelson's Justice or some book of that kind may inform you of under the title

Soldiers &c: When such men as go in the brigg are got on board they should proceed to the hook, & Immediately send Coll^o Blakeney notice of their being there. I am Sir,

Your Very humble Servant,

L. M.

To Coll^o Johnston.

TO CAPTAIN JAMES HOOPER.

September 30 1740

CAPT^r HOOPER:—I should have thought if the sence of your duty had not prevail'd upon you, yet good manners might have influenc'd you to have ask'd my direction for your Imbarcation, or at least to have given me some account by letter what number of men you had Embarqued. Pray let me know that as soon as you can, & by Express if no other opportunity offers. I have order'd Capt^r Thomas to this place, but he is to put some men on board the Vessell in which you are; when the men are on board, proceed with all convenient expedition to the hook: & when there, come to an anchor & send Coll^o Blakeney notice of your being there. I am sorry I have occasion to tell you that, if you do not alter your conduct for the better in time to come, you will have great cause to repent it.

I am Sir your Affectionate kinsman,

L. M.

To Capt^r James Hooper at Amboy.

TO CAPTAIN THOMAS.

September 30 1740 Burlington

CAPT^r THOMAS:—I approv'd of your going to Seccond River* for the reasons you gave for doing it; but tho' I did approve of them I beg leave to tell you that I should (as I think) have known of them before you went, because you have some reason to believe it would have been difficult for me to have deny'd Complying with any reasonable thing for your service, or that might Gratifie my good friend Mr Schuyler. I hope your care and circumspection has been such that you have kept a full Company as well as your antagonist Farmer; whose Company this day was put on board consisting of 97 private men, & 3 sick at this place,

* Second River, now Belleville—north of Newark on the Passaic.

where I soon hope to see you, & therefore, as soon as you receive this march your Company to Amboy, & when there put some of your men on board the Vessel on which Mr. Hooper is Imbark'd, with one of your officers. There must be brought here not less than sixty or more than seventy, the remainder must be sent from Amboy. The ships there, according to Coll^o Johnston's Computation will carry 132 men, so y^t if Captⁿ Hooper's Company be full she can carry 32 more; but if not, more: we have made a different Computation here & you will be better accommodated, we can carry 70 more than we have, but not more. Let Lieutenant White come wth you, & send what other officer you think proper wth the men you send wth Hooper. When you arrive in Virginia things will be set to rights. You will receive this Express & therefore make what haste you can. I leave you to take what rout from Amboy you think proper to this place, & I neither can nor will admit of any excuse for delay or your not coming. I feare you will have but little assistance from the magistrates, however apply to them for carriages at the usuall rates. Mr Lyell or some body else can furnish you wth Nelson's Justice, w^{ch} will be a direction to you under the head of Soldiers.

I am &c,

L. M.

To Captⁿ George Thomas.

TO COLONEL BLAKENEY.

Burlington Sep^r 30 1740

SIR :—It was this day about twelve, before I got yours of y^e 24th. I had then Just got on board Cap^t Farmers Company w^{ch} was Compleat and rather more than so, he and his officers have been very diligent and carefull, especially one Seymore, his ensign, who has by his assiduity and care recommended himself to my notice & I hope will do so to yours. As to the Eastern division of this Province, the managers there have in my opinion acted agreeably to the Intentions of the Assembly that Employ'd them, & seem'd as if they studied every thing in their Power to defeat the thing. * * * * * [A paragraph is here omitted in which he states the directions he had given as per foregoing letters.] * * * I have Influenced the managers here to provide well, & we shall be ready to sayle from hence as soon as Captⁿ Thomas can come to this place; of which I shall give you as Early an account as I can, if you remain at York till that time. I heartily wish you a Prosperous and

healthy voyage & a success agreeable to your wishes: & am with much regard Sir, &c

L. M.

To the Hon^{ble} Coll^o W^m Blakeney.

TO COLONEL BLAKENEY.

Burlington October 14th 1740

SIR:—This morning, in a snow & briganteen, went from hence Capt Farmer's & part of Captⁿ Thomases Company. Captⁿ Farmer's is full, w^{ch} is chiefly owing to the care of his Ensigne Seymore. Capt Thomas has 65 on board the brigg he comes in, and put 23 on board of Capt Hooper at Amboy, who it seemes refus'd to take them on board notwithstanding my orders, and they were like to have been left behind, but wth much ado they were got on board. I refer to Captⁿ Thomas & his officers for an account of that, & wish that may prove the worst part of the young Gentleman's conduct; he has left here a debt of £9 for quarters of some men that he got here and engaged to pay. Captⁿ Farmer has not paid his men's quarters in this place, w^{ch} I am told amounts to above £100 pounds this money. The Landlords complain much, & if they are not paid it will be a great hindrance to the raising & transporting recruits for the future, if there should be occasion for any such thing. I therefore hope some way may be fallen upon to do the poor men Justice. I am told one of these Landlords intends to wait upon you in Virginia if he Judges it likely to meet with you there. Inclos'd you have a receipt of Captⁿ Farmer's for £76 9 8 Sterling for w^{ch} a bill should be drawn & sent. I suppose my son has given you an account for w^t it is. Captⁿ Thomas, who commands one of these Companyes, has from all that know him the Character of an honest, Discreet & sencible man, & I doubt not you will find him so. I wish you a good voyage & success in the present undertaking, and am with great regard &c,

L. M.

To Coll^o Blakeney.

TO ANDREW JOHNSTON.

Burlington 22^d October 1740.

SIR:—The money Provided by the act of Assembly proving not sufficient, as Mr Baynton Informs me, for the transportation of the forces that were sent from hence, I desire that you would send me an account

of what money you have expended for the transportation of those sent from Amboy : because what the money appointed by Law for that Purpose fell short of doing I am to draw bills for, w^{ch} I cannot do till I know what has been expended. I am Sir, &c

L. M.

To Coll^o Johnston.

TO THE DUKE OF NEWCASTLE.

Burlington October 18th 1740

MAY IT PLEASE YOUR GRACE :—I received your Grace's of y^e 5th of Jan'y 1739-40 on y^e 10th of Aprill following, via Virginia, and on the 24th of June via New York a second of Aprill 5th, wth his Majestie's Instructions concerning the Intended expedition against the Spaniards in the West Indies. Your Grace's first letter came to hand upon the first meeting of our Assembly, and I recommended the affaire to them, as your Grace will see at the end of my speech made to them at their meeting w^{ch} is here inclos'd, and I afterwards publish'd pursuant to your Grace's directions the Inclos'd Proclamation ; & upon receipt of your Grace's second letter wth his Majesties Instructions, (this Assembly being then sitting,) I communicated to them what his Majestie requir'd of them and earnestly press'd them to Comply wth his Majestie's 8th Instruction, as your Grace will see by my speech to them on y^e head. They could not handsomely directly deny doing what was in so strong terms requir'd of them, but was far from having any Inclination to do it, & would fain have shuffled it off under pretence of waiting to see what their neighbors of Pensilvania & New York would do, & accordingly sent me a message desiring leave to adjourn for a fortnight. I too well guest what was to be expected from the Assemblies of either of those provinces as they then stood, to Comply with their request in this case, w^{ch} plainly appear'd to me to be made with intent to evade the doing of what his Majestie required of them ; & believ'd that if I permitted them to adjourn, and discover the Inclinations of their neighbours in York & Pensilvania, the consequence would be either that nothing would be done, or much less than would be procured at a time when they could not well know the sentiments of those people ; & therefore wrote the Inclosed letter in answer to their message and kept them together. They then entered upon it and sent up a bill for y^e raising of £2000 for transporting troops &c w^{ch} comes inclos'd. This bill instead of raising any

money, only apply'd money already rais'd and applied for the support of the Government by other acts. They Omitted making provision for other necessaries as required by y^e 8th Instruction, & made their managers only accountable to the Assembly; and (in the opinion of the Council) the whole bill was very confus'd and scarce Intelligible, so y^t a conference was desired with them upon it w^{ch} with much ado was obtain'd, but without effect,—the Assembly being predetermined not to admit of any alteration to what they were pleased to call a money bill; and it was supposed the true reason of drawing of it in the manner it is done was to defeat the doing of the thing required of them; because they conceiv'd neither the Council or I could or would assent to it in the manner drawn. However the Council (for reasons that will appeare to your Grace in their minutes) chose to assent to it rather than lose the bill. I had talk'd wth severall of them, who seem'd to agree that the amendments propos'd were reasonable, & I had still hopes that they might be prevail'd upon to come into other measures, and therefore, after the Council had agreed to the bill I adjourn'd them for about a fortnight to get in their harvest, thinking that might gain upon them; and on their meeting spoke to them as your Grace will see by the Inclos'd, but without effect; for they would not depart from the bill they had drawn, nor come into the making a Law against mutiny and desertion w^{ch} in his Majesties name I recommended to them. Finding all the methods in my power ineffectuall to get a bill of a better forme, I consented to it as they and the Council had pass'd it: at the same time declaring against its being brought in future times for a precedent, as your Grace will see by my speech at the prorogation of them.

I have rais'd three Companies, & could easily have rais'd five, had a number of blank Commissions been sent as was expect'd from your graces letter & his Majestie's Instructions: but there coming no more than two for this Province, Render'd the raising more than three Companies Impracticable at that time. These Companies are all (but about eighteen or twenty men) rais'd in the Eastern Division of New Jersie, & I am told not above three servants amongst them, & those no long time to serve. One third of the Western division w^{ch} lyes upon the Delaware, being of the people call'd Quakers, makes it more difficult to raise men in that part than in y^e Eastern, where their numbers are inconsiderable, and they cannot consistent with their principles encourage any thing that relates to war, even a defensive one: w^{ch} will render Pensilvania & this part of the Province an easy prey to an enemy, & of dangerous consequence, if some measures be not fallen upon to prevent it, w^{ch} it will be Impracticable to do by any militia or other act here, or in Pensilvania, while those people

are admitted to have a share in legislation. They are generally a laborious, honest & Industrious people but want not their share of craft, and are unaccountably obstinate & tenacious; w^{ch}, Joynd to their principles of non-resistance, whether real or feign'd, & their refusal to take or administer an oath being inconsistent with magistracy, renders them not so fit as they otherwise would be to admitt into assemblies & offices of government; &, in the case of having a militia, very difficult to be govern'd. About thirty yeares since there was a militia act in force here, something better calculated for the purpose than that here now in use, w^{ch} those call'd Quakers would by no means, on pretence of conscience, obey: & while they were unmolested and not distrain'd on they laughed at those y^t did: this made others murmur who were oblig'd to train & muster and encouraged their refusing to do so, they claiming as much right to an exemption from trayning as the Quakers. This being Judg'd at that time Inconvenient, the officers were ordered to make distresses pursuant to the act, and (not being quakers) perhaps put it in execution with more vigor than they should have done. This was call'd persecution for conscience sake: & these quakers grew fond of what they call'd suffering, & gloried in the doing so, calling it a suffering for the Lords sake. Stores were fill'd with distrain'd goods such as hatts, shoes, coats, britches, saddles, bridles &c. but no body would buy them when offred to sale: and the governours generally residing most of their time in New York, the reines of government were held with so slack a hand that trayning has been in a manner disus'd, there having been none here in this western division of Jersie, as I am Inform'd, for fifteen or sixteen yeares past, & none ever us'd in Pennsylvania. The officers that are here are mostly dead & [it is?] difficult to get others to supply their places in a part of the country where military offices will be troublesome to those who have them, & their quaker neighbours disgusted at the officers for being such, unless they leave quakers Intirely unmolested & the act uncomplyd with in that case. This is the state of defence in the western division of New Jersie, w^{ch} lyes open upon the navigable river Delaware for about 150 miles, and between 70 and 100 upon the sea coast. In the Eastern Division of this Province the case is somewhat better; they have trayn'd much oftener, tho' but Seldom: there are 5 regiments there of militia, & am in hopes to get two or three troops of horse: & in some time to get them into some better order than they have been for many yeares; but they have been so long & so much neglected, y^e militia act so deficient, & arms so much wanted, that it will require time to do it.

Your grace will see, by what comes with this, the difficulties I have had to prevaile upon our Assembly to come into the doing of any thing

with respect to the transporting the forces Rais'd here, & finding them provisions w^{ch} they left no craft they were masters of unassay'd to avoid, & I was under a necessity of assenting to their bill against my own Inclinations rather than lose the use of £2000 for y^e purpose: w^{ch} cost them not one groat, but was part of what was appropriated for y^e support of his majestie's government: but it being for his majestie's service, as things were then circumstanced I humbly hope his majestie will be graciously pleased to approve of my conduct in that case.

I have at last sent these Companies off: one under the command of Captⁿ George Thomas & his officers, another under the command of Captⁿ James Hooper & his officers, to whom I gave the two commissions sent me by Coll^o Blakeney; the third under the command of Captⁿ Robert Farmer & his officers, to whom I gave, by Coll^o Blakeney's directions, certificates y^t they might receive commissions from Lord Cathcart at the Place of Rendezvous in the West Indies. Hooper's & part of Thomas's Company sayl'd from Sandy-hook with Coll^o Blakeney on y^e 22nd past: Thomas & Farmer with the rest sayled from hence on the 14th, in order to Join them at the Capes of Virginia, that being the place they were directed to be sent to by Coll^o Gooch. The £2000 appointed here to transport these forces was not sufficient for the purpose Intended, and rendered it very difficult to be done: the people here (from some conduct of those concerned in the time of queen Anne relating to the Canada Expedition, (some of the bills drawn then remaining long unpayd (if as yet paid) or for what other reason I know not) are very diffident of government bills, or pretend to be so: and what adds to the difficulty is the scarcity of currency, viz paper bills, w^{ch} here are hardly sufficient for ordinary concerns; for such of them as the industrious husbandmen receive for their grain and other produce is generally hoarded in order to make purchases of land for their children, w^{ch} lessens the currency: but were they all current, & would serve for ordinary occasions, yet such quantities of them as would be necessary on such an extraordinary occasion as this, are not in the hands of merchants here and cannot be procured in York or Pennsylvania but with great difficulty; however with much ado I have got it done, on the promise of drawing for what the charge amounted to more than y^e £2000: but how much more it has amounted to I do not know, the accounts being not yet sent in.

Your Grace will see by the minutes of Council, herewith sent, that I have suspended three of the Council by advice and consent of that board; two of them were discharg'd at their own desire & one of them for not attending. I had before that discharged another, viz John Schuyler, at his own desire. This Schuyler is part owner with his two brothers

of y^e famous Jersie copper mine, & is Intrusted with the management of it; he had often earnestly press'd me to be discharg'd, protesting he could not attend the Councill without the greatest prejudice to his private affaires, w^{ch} indeed I believe was true; but I was loth to discharge him because he was a man of good sence & great Interest in his neighbourhood, & withall firmly in the interest of the present government. However, his attendance at the distance from his habitation at the places that I am to hold Councills & Assemblies in, being of so great hurt to his private affaires I at last consented to dismiss him. Your Grace may observe by the minutes that I had but once seven Councillors together, & that three times I had six, and besides these times could never get above 5 of them together; sometimes four, but oftener only three. John Wills, one who desired to be dismiss'd, is an old quaker of above fourscore, and goes double; he lives about six miles from this, & would not attend the Councill because they had hyred a room to sit in about twenty rod farther from his lodgings than he would have had it, & finding they persisted in using the room they had hyred, came to take leave of me saying, he could not attend by reason of his age. I willingly consented to his departure. Van Horne declined coming as much as he could, but finding the Councill Insisted on his Presence, & had sent an officer to bring him, desir'd to be dismissed, w^{ch} I granted. Provoost, the third suspended, would not attend tho an officer was sent for him, & indeed had all attended y^e are dismiss't, none of them (except Schuyler) would have been of much use to me or the Publick. Your Grace may see that I have been by the non-attendance of the members under a necessity of acting with a very thin Councill, w^{ch} is Inconvenient, & a means of bringing that part of the legislature into contempt, w^{ch} the conduct of most of those dismiss'd, had they not been suspended, would not have a little contributed to,—they being very unequall to the charge they had undertaken: but had they been as well quallified for these stations as men could be, yet the distance of their habitations from each other and from Amboy or Burlington, where by the present Constitution I am to hold Assemblies, makes their attendance very inconvenient to themselves; & that, wth their not having any allowance but when the Assemblies are sitting, and then a very small one, are the causes that I cannot easily get a Councill together when there is occasion for them. To make it easy to them I condescended to have quarterly meetings with them unless matters of great moment requir'd their attendance sooner: but notwithstanding this they have not attended. The Councill by these suspensions are reduced to six Inhabitants of Jersie, and one, viz James Alexander, of New York: who, being building there, has not attended I think once, but upon his own business,

either the late or former sessions of y^e Assembly, so that pursuant to his Majestie's Instructions I named one, viz Peter Baynton of this place to make up seven Residents in this Province. He is a man of superior sence to most here, has a good estate, is a considerable trader hereabouts, & is heartily well affected to the present government. He was by the Assembly named a trustee for the hyring ships, and finding provisions for transporting the troops rais'd here, & the only one that was not a member of their house, w^{ch} I question if they would have done had they in the least suspected that I would have appointed him to have filled up the deficiency of the Councill: and to this Mr Baynton it is chiefly, if not solely, owing that I have been able to send these troops off;—he having advanced much on the score. The other trustees appointed by the Assembly acting, either by chance or designe, as if they meant to retard, if not defeat the enterprise.

The holding of the Assemblies alternately at Burlington & Amboy, & keeping two Secretaries offices, proves very Inconvenient both to the officers of the government & to the people. The Assembly acknowledge it to be so, tho they will not agree upon the one place to fix the seat of government in, but have left the nomination of that to me, w^{ch} I have hitherto declin'd doing. Perth Amboy, nam'd from y^e Earle of Perth who follow'd the fortunes of the late King James, is a poor Inconsiderable place, & there is little Prospect of its ever being much better. The town or city of Burlington, whose Inhabitants are mostly quakers, far exceeds the other but was neare as large twenty years since as now, & there is little probability of its growing much Larger. They are both Inconsiderable places & like to remain so, neither of them fit for the seat of government, nor so convenient scituated for that purpose as some others. It would be great convenience to the people in generall, & to the governors & secretaries for the time being, and officers of government, to have it fix'd to some one place; & therefore I humbly hope his majestie will be graciously pleas'd to permit the doing of it, notwithstanding the Instruction of holding the Assemblies alternatively at Amboy & Burlington; which were the most convenient places fourty yeares since, when the surrender of this government to the crown was transacted, but are by no meanes so at this day, or likely ever to be so: nor is the scituation of the landed Interest of those who made that surrender, & w^{ch} Induced them to propose the alternate sittings in these two places, the same now as then, but quite different, and the reasons for their doing so not subsisting at this time.

The order of the Councill as they now stand, & their numbers in each Division are as follows: viz.

Rank.	Of the Eastern Division	Rank	Of the Western Division
1	John Hamilton	2	John Reading
3	James Allexander, he resides allwaies at New York	4	John Rodman } both qua-
		5	Richard Smith } kers
6	Robert Hunter Morris	8	Peter Baynton. Appointed by me & makes the 7 resi-
			dent Councill ^{rs} .
7	Fenwick Lyell		

As the Council stood in his Majesty's Instructions to me, there were eight of the Eastern & but four of the western division, at which those of the western division seem'd to express some dissatisfaction; but by the death of M^r Hooper & the dismissal of the others, if his majesty approves of it, & of the nomination of M^r Baynton, they are now equall, or rather superior, M^r Allexander rarely as yet attending. If they stand as they do there will still two be wanting in each Division to make up the number of twelve in the whole. In the Western division there are not so many fit for that station, who dwell conveniently to be got together (that are not quakers) as in the Eastern, and it being difficult (even as they now stand) to get a Council to meet, I humbly recommend Archibald Home the deputy secretary for one of them;* his office as clerk of the Council obliging him to a constant attendance, & will render the having a full Council more practicable than it has hitherto been: but how far your grace will think fit that he should rise in rank in case of death, departure, or suspension of others (he not desiring or expecting y^t) is submitted. The other I presume to recommend for this western division is John Allen the present treasurer of it. I well know the man,—he has the character of a very honest man. As to the Eastern division, the generall proprietors of the soyle seeme to expect a share with others in the administration; it is sayd some of them are somewhat uneasy on that score:—to take off any uneasiness of that kind I recommend Richard Ashfield, who ownes a whole proprietary, or 24th part of the Eastern division, & something more. I take him to be an honest man and very firm in the Interest of the present government, as are indeed all I recommend. The other vacancy in y^e Est Division I recommend to be fill'd by Edward Antill.† He is a man of good estate & sence, & if admitted to that board I hope will prove an usefull & deserving member of it. But this & every thing else propos'd by me is most humbly submitted, by &c.

L. M.

* He was subsequently appointed. Papers," No. 23, dated May 29, 1741.
His commission is among the "Morris † His son-in-law.

TO THE LORDS OF TRADE.

Burlington Oct 25th 1740

MY LORDS :—I receivd the Hon^r of your Lps of March 7th 1739—40* & have communicated it to the gentlemen of the Council, who have communicated to the Assembly that part of it w^{ch} relates to their claimes or pretences of not admitting of any amendment to a money bill; I wish I could say with the desired success, or that they had pay'd that regard to your Lordships opinion, that they ought to have done: and tho' I think them something altred for the better with respect to me, by y^e change that is made in some of the men in the late choice, yet their actions as an Assembly on that head comes up to that of their predecessors & I think rather exceeds them. They will fancy themselves to have as much power as a British house of commons, and more, notwithstanding any thing your Lordships has said, or can say: and if any of them had halfe the reason of some of the meddling members of that hon^{ble} house, I should not be without hopes of being able to prevaile upon them to entertain Juster sentiments of their duty and their true Interest, than the weakness of the men & their unaccountable obstinacy will at present admit them to do, and if long suffred to pass unnotic'd, may one day require the aid of a British Parliament to Perswade them to. Their address to me w^{ch} echoed back (omitting some materiall parts) my own speech to them at the Opening of the sessions, was not without its art (if I may call it so) and their future conduct Plainly shew'd that these omissions were not the effect of chance, or neglect; but designe to avoid owning that dependance In my speech Inculcated, & the right their superiors had of being inform'd in what manner the publick treasure was dispos'd of, & that by officers of their own appointment.

Your Lordships has with this all the acts pass'd the last sessions, and all my speeches to them during the course of it to w^{ch} I refer.

One of their attempts was to Recnact an act for the Enregistering Deeds &c which they knew his Majestie had formerly dissallow'd of— This act, when dissallow'd of, consisted of two parts; y^e first for the Enregistering of deeds &c y^e second declaring how the right of a feme covert might be convey'd or extinguish'd; and in order to make it go through here they divided it into two acts, & both were sent to y^e Council, & the second pass'd there without any suspending clause. Had they behav'd in another manner than they did I might perhaps have assented to

* See page 100.

the second act had there been a suspending clause; but their first act (of which they are very fond) was calculated with intent to lessen the fees of the secretaries office, and to carry as much of the business of that office as they can before the Judges and Justices of the County Courts: who, (tho the fittest I can find) are for the most part but weak Ignorant men. Their Law for limiting the Supream Court to actions above £15 was much of the same nature, & to render that Court as useless as they could. Their act for a septenniall Assembly was a limiting of the prerogative of no great use to themselves, & w^{ch} I believ'd his Majestie for that reason would not be advis'd to pass, I therefore Judg'd it not proper to be presented for his assent, but refus'd mine for the reasons I gave in my speech at the proroguing of them. Concerning their attempt of extending a British act of parliament made on purpose for the plantations, with an Exception to one part of it, & publishing of their doing so in their votes pages 31, 32, 33, 37, I need say little more than I have said to them allready on that head: but submit it to your L^{ps} how far their conduct in this and other cases may be sufficient motives to Induce his Majestie to take notice of it. The bill above mention'd, being rejected on the first reading by the Councill, the Assembly in lieu of that, some time after, pass'd a bill Entitl'd an act the better to enable Creditors to obtain satisfaction of their Recoveries against their debtors, and to direct the sherrif or other officer in the Execution of his duty therein; and sent it up to the Councill who assented to it. I had no objection against the matter of the bill, but it being to do what they conceived the act of Parliament was deficient in, with respect to creditors residing in America, (that act being, as they Judged, calculated only for the benefit of creditors residing in Britain) I did not give my assent to it; but have sent your Lordships a draft of it for your perusall & direction in the Case, whether I shall assent to such an act or not if the Councill & Assembly shall pass such an one.

Your L^{ps} will see by the speeches in the Journalls or Votes of the Assembly &c, herewith sent, how much and how ineffectually I labour'd to prevaile on the Assembly to come into an act of another nature than what is pass'd for the appointing of 2000 pounds to be paid towards transporting the troops rais'd in this province for the present expedition against the Spaniards. Y^e Assembly could not decently deny the doing of something on that occasion (it being required of them and expected from them by his Majestie) but us'd all the crafts they were masters of to evade the doing of it; & when they found that I would not let them depart till they came to some resolutions on that head, they entered upon it in the way your L^{ps} will see by the act, and persisted in it notwith-

standing all the endeavours us'd to prevaile upon them to do otherwise. The money apply'd to this use was not the people's money, nor did they give one farthing towards it, but is paid out of money appropriated to the support of the Government and to be sunk by the Interest money w'ch was otherwise to be apply'd to that support, so that the fund for that purpose is thereby lessened by so much, to supply w'ch the Government must depend upon the Assembly and come into their measures or go without it. They drew the act and persisted in it knowingly, against the Clauses in his Majesties letters patent & Instructions, I believe with Intention that it should not pass, and the blame for want of the money be lay'd on the Councill or myselfe if it did not pass, and the Assembly might acquire among the people the reputation of doing what in them lay to comply with his Majesties commands without any expense to their constituents; or if it did pass in the manner they had drawn it, that it might be us'd as a precedent for doing things of the like nature for the future, & to let their constituents see that, notwithstanding any clauses in his Majesties patent or Instructions communicated to them for their direction, however plain & direct, yet if they will make use of propper opportunities when the Government needs their aid, that it is to receive that aid only on the terms they will give it, or be without it; and that in such case they may (as they have done here) act without having any regard to such clauses or any other, & levy money & make the disposition of it lyable to be accounted for only to themselves. The circumstances of things were such that if I had not assented to the act we should not have been able to have transported the troops rais'd here, & this lay'd me under a necessity (much against my Inclinations) of assenting to it, w'ch I did with a declaration y^t it should not be drawn into precedent for the future, as your Lps will see by my speech to them at their prorogation. The money rais'd or rather apply'd by that act is Issued, the provisions bought, the forces sent off and all the ends propos'd by it I think answered, unless it be the accounting with the Assembly, and sinking this £2000 as the act directs by the money y^t is to be paid in for Interest, and would otherwise be apply'd to the support of the Government; which if his Majestie thinks fit to dissallow of the act, will be so still, and the Assembly lay'd under a necessity of making some other provision for the sinking of it or let it remain unsunk: but how far it is adviseable for his Majestie to do so your Lps are the best Judges. * * * * [Some paragraphs are omitted referring to the changes in the Council, and to the inconveniences attending the two seats of government similar to those in foregoing letter.] But this and what else I have said is humbly submitted to your Lps better Judgment by &c. L. M.

To the Lords of Trade and Plantations.

TO SIR CHARLES WAGER.

Burlington Novem^r 10th 1740

RIGHT HON^{ble} * * * * * I have pursuant to his Majesty's Instruction drawn for 280^l sterling on the Navy Board which I Hope will meet with acceptance, those who have advanced the money being in want of it, and unless it had been done I could not have sent the troops off. The money apply'd here I think is more in proportion to the number sent hence than is done in any other province, and had it been given by the people, as it is not, they would have deserved commendation. I wish the troops may prove successful but if I am rightly informed there may be some reason to doubt it, for I am told Gooch sail'd from Virginia with the forces raised there without staying for those of the northern Colonies, and that Blakeney &c is now waiting in Virginia with the northern troops, viz. Boston, Rhode Island, Connecticut, New York, New Jersey, for further Orders. But how true this is I do not know.

I Hope this will find you and Good Lady Wager in the Injoyment of a good state of health, when I learn that it has done so it will be a great pleasure to

Right Honourable your most obliged Humble ser^{vt}

LEWIS MORRIS

P S. I have not one Mediteranean pass, they are much wanted.

To the R^t Hon^{ble} Sir Charles Wager first Commiss^r of the Admiralty and one of his Majestys most Hon^{ble} Privy Councill.

TO SOLOMON DAVIS ESQR & THE JUSTICES OF THE PEACE AND OTHER OFFICERS CIVILL & MILITARY IN THE COUNTY OF MORRIS IN THE PROVINCE OF NEW JERSEY.

GENTLEMEN :—I have receiv'd a letter from Sollomon Davis Esqr, one of the Justices of the peace for the County of Morris, Informing me that a number of persons Inhabitants in the Province of New York have, in a disorderly and tumultuous manner, Entred into the County of Morris in this province of New Jersie, and forceably had taken & carryed severall of the Inhabitants thereof to prison in the province of New York, under pretence

that they had acted in obedience to the magistrates of New Jersey within the province of New York,—when in truth & reality what was done, was (as is said) done severall miles within the limits of the Province of New Jersey, & done in order to protect & defend the Inhabitants of New Jersey against the Insults of the Inhabitants of New York; some of whom, (as he said) have In order (as is supposed) to Intimidate the Inhabitants of New Jersey, Insolently asserted that the Sheriffs of that Province can command the assistance of the militia of this Province to assist them: whereas it must be well known to all that the hon^{ble} person who is at present Intrusted with the government of that province neither has made, nor can make, or will make, any such claim; nor ought nor will he in the least countenance any violent procedure on this Occasion; but will (as it is reasonable to believe) act according to his known Duty & do all in his power on his part (as I shall in mine) to preserve the publick peace till the Locality or places through w^{ch} the line of Division between the Provinces of New Jersey & New York doth or is run, shall (if not allready known) be settled and Determined by a competent authority; & therefore the wagers said to be offred to be Lay'd by some that Practice the Law in y^e Countie or Counties bounding on this province (who are not allways the most Judicious or knowing persons) could not proceed from any knowledge they had or could have of what would be, & therefore not to be minded, but (if true) from something very rarely the concomitant of knowledge in Law, tho it too often serves to gain the opinion of the Ignorant in their favour, w^{ch} wanting true merrit they could not otherwise acquire. Nor is the threat or boast (if made) of having one hundred and fifty men ready at the service of their officer in case our militia refus'd to obey him, any more to be regarded than as a vain boast w^{ch} the govern^r of New York has more prudence & a greater regard for the publick peace than to suffer them to put into execution; for however strong the Inducement of Interest may be on either side, yet, as the Inhabitants of both provinces are equally the Kings subjects and committed to the care of the governours, neither of them can knowingly permit any force to be us'd that in its consequences threatens their destruction, or for any other end than for their preservation, nor is it Propper, nor will the governours be so imprudent as to Enter into Violent measures to settle private properties, when perhaps their doing so may prove to have been occasion'd by the misrepresentations of those concern'd in Interest on both sides, who might possibly raise those clamours in order to procure that to be done at the expence of the publick w^{ch} ought to be settled at the private charge of the owners of the soyle. The governour of Jersey is not at all concern'd in his private interest in these disputes, and is very indifferent whether the division line

between the provinces runs two or three miles to the northward or to the southward: but as I am concern'd to preserve the publick peace I have communicated M^r Davis's letter to his Majesties Councill here, who come to the following resolution Viz

"The board gave it as their unanimous Opinion that, his Excellency should direct the magistrates in the said County of Morris to avoid as much as possible all strife & contention with the Inhabitants of the Province of New York, and to do their duty in Preserving the peace and protecting the Inhabitants of the said County of Morris from any Insults that may be offered them."

This I require to be done, & hope it will be duly perform'd wth a proper & Suitable prudence & becoming resolution.

Yours &c

Under date of February 27th and March 2d, 1740-1, the Governor directs Robert King, collector of the customs at Perth Amboy, Charles Read, collector at Burlington, and William Fraser, of Salem, not to allow any vessel laden with provisions to clear, unless sufficient security is given that her cargo is not intended to be landed in any Dutch, Danish, French, or other foreign place in America; it being thought that the French Admiral Vernon's fleet in the West Indies would depend for supplies upon shipments from the colonies.

TO GOVERNOR THOMAS.

Febry 23 1740 Trenton*

SIR:—The bearer hereof Josiah Quimby, has been long a neighbour of mine in the Province of New York, he has a very good mechanical head & has been successfull in severall projections. He is now upon a scheme of an Extraordinary nature, but will be of great use and wonderfull advantage especially to these American parts & particularly to your city of Philadelphia if it succeeds. One part of it is by fire vessells contriv'd & manag'd in a particular manner to destroy any number of ships of war

* 1740-1.

comming to attack any sea-port or place scituated on a navigable river, & that without much danger to the defendants or place besieg'd. The other is by machines of no great expence to burn the sayles and Rigging of any such ships, & in probabillity y^e ships themselves (in case the burning of the sayles & rigging will do it) before, or as soon as they can reach the place. He has a very large share of naturall abillities of mind, & being a quaker is willing to believe his scheme will not prove unacceptable to friends, being calculated only to destroy ships and not take away the lives of men. He has communicated his scheme to me, as I suppose he will to you & M^r Pen if you desire it, but in such a manner as not to be made publick without his consent. To me, who have not competent knowledge in the pyrotechnicall science to forme a proper Judgment concerning them, they carry an appearance of probabillity; but you may have some knowing men that may discover their defects or render them more fit for the purpose intended than they are, should there be any occasion to use them, w^{ch} I hope you never will: & am &c

L. M.

To Coll^o Thomas, govern^r of Pensilvania.

TO THE BISHOP OF LONDON.

New Jersie Trenton May 17th 1741

MY LORD:—The death of the late Reverend M^r Cummins, so Justly Lamented by all that knew him, makes a vacancy in the only Established Church in the populous city of Philadelphia; which all agree should be filld wth a person of no meane abillities both naturall & acquir'd. I being a member of the society,* some friends of M^r Richard Peters have apply'd to me to recommend him to your Lordships notice as Judging him the fittest person, either in Pensilvania, or (as they are circumstanc'd) in any other Place, to succeed M^r Cummins. I have but lately been personally acquainted with the man, but as the province I have the hon^r to governe lyes neare to Pensilvania, being separated only by the River Delaware, I find the most considerable people of the church there have a great esteem for him, & from the good character he has from those, and the short acquaintance I have had with him, I think him not unworthy of your Lps favour & recommendation to the Churchmen of that place: the most noted and able among whom I have reason to believe will not

* Society for the Propagation of the Gospel in Foreign Parts.

be so well pleas'd with the nomination of any other person.* Tho he has the advantage of the friendship of the most Judicious and Opulent, yet such has been the distraction among the Inhabitants there, as well as in other places, occasioned by the Enthusiastick reveries of Whitefield, that its very probable he may not be without enemies of that sort, who its not unlikely may not esteem any person recommended to them, so well as one deeply Ting'd with Whitefields deliriums; esteeming all clergymen y^e are not so, ministers of the letter but not of the spirit: but I perswade myselfe the recommendations of such (if known to be so) can have no weight with your Lordship. I am, my Lord,

Your Lps most obedient humble servant

L. M.

To the Right Reverend father in God Edmond, Lord Bishop of London, at Fullham.

TO ANDREW JOHNSTON.

Trenton July 17 1741

SIR:—I give you Joy of the safe arrivall of your Brigg and the good Voyage she has made. I desire you'll send a pipe of good wine, and the account between us; as also the expedition account of the disposall of that part of the money apply'd by you &c for that use. I should have had it long ago but charg'd the not receiving it to the account of your

* Mr. Peters was then serving as secretary and agent of the proprietaries of Pennsylvania, and that was given as an excuse by the Bishop of London for not appointing him, in accordance with Governor Morris's request and the earnest appeal of the Churchmen of Philadelphia. It is rather remarkable that, at a time when the provinces were so little disposed to contribute liberally to the support of clergymen, the fact of his "getting a living by his lay functions" should have been an impediment to his appointment.

He continued to fill the office of secretary for many years, and in 1762 it was no longer thought necessary to

exclude him from the rectorship of Christ Church on that account. In 1754, he was sent as one of the Pennsylvania commissioners to the Congress at Albany, and in various other ways faithfully and energetically fulfilled his duties as a citizen. He was highly respected as a clergyman, and was renowned for his pleasantry and humor. He was the father of Richard Peters, who during the Revolution so efficiently performed the duties of secretary to the Board of War, and who subsequently was a member of Congress, and judge of the District Court of Pennsylvania.

Illness, w^{ch} I am glad to heare you have got the better of. My Complements to your spouse and family and to y^e Doctor, concludes this letter from
Sir, &c L. M.

To Andrew Johnston Esq^r at Amboy.

TO THE DUKE OF NEWCASTLE.

Trenton August 14th 1741

MAY IT PLEASE YOUR GRACE:—I have receiv'd the hon^r of your graces of y^e 4th of December 1740, and am glad to find by it that his Majestie has been graciously pleas'd to approve of my endeavours for his service in raising the men sent from this Province, a fuller account of w^{ch} than what I wrote on the 31st of August last on y^e head, has I hope long ere this reach'd your grace's hands; a duplicate of w^{ch}, wth the laws made here the last sessions & the proceedings of the Assembly, is sent to New York in order to go by Captⁿ Warren in his Majestie's ship the Squirrell.

The success of his Majestie's arms has been very great at Carthagena, & tho prevented from being compleat by the rainy season & bad state of health of the forces there, yet the failing of the wish'd for success in the reduction of that place will at present render it more difficult to raise recruits in America than it otherwise would have been.

Your grace I believe will Judge from the conduct of the Assembly the last session, that I am not to expect so much aid as I could wish (if any) from that Quarter, there being so many Quakers amongst them; & tho some of them might be very inclineable to promote his majestie's service on such an occasion, yet, it being so contrary to what they call their principles, they'll not easily be perswaded to do anything that will give any handle to charge them wth acting against them: so that if his majestie Intends any recruits to be rais'd here, I very much doubt whether any thing will be rais'd in this Province towards the charge of doing it. Tho as things are at present circumstanced it may be difficult to raise men, yet I do not think it Impracticable to raise near two hundred if his majestie would send cloathing and arms for the men, & blank Commissions for the officers, wth tents, collours &c.

Pursuant to his majestie's commands to transmit an account of what number of effective men went from hence. There was rais'd and sent from Jersie 300 effective men.

With this comes the minutes of what has been transacted in our Councill here since the sitting of the Assembly. If I have the hon^r to

receive his majestie's commands touching recruits, I shall use my best endeavours to put them effectually in execution, & am &c

L. M.

To his grace the Duke of New Castle.

TO THE LORDS OF TRADE.

Trenton August 16th 1741

MY LORDS:—I have receiv'd the Hon^r of your Lps of May 20th & 21st, and August the 1st 1740: & one of Aprill 17th 1741, wth two acts of Parliament. Pursuant to your Lps commands of y^e 1st of August 1740, I gave the Commissioners residing in this province the Informations by your Lps directed, but am told none of them attended, & that the settling the bounds between Boston & Rhode Island (if done) was done without their assistance.

In obedience to your Lps of May 21st, I have directed the Secretary of this province (who farms the office of one Burnet in England who has the patent for it,) to search the office and give me an account of what Laws have been pass'd; but the offices being kept in two places, viz Amboy and Burlington, and not being formerly kept so carefully as they should be, a collection even of their titles will be not easie to make & much less so to get them transcribed; the transcribing the minutes of the Councill and acts of Assembly each session, & duplicates of them, w^{ch} is twice done by the Secretary, and is a burden upon the officer which y^e Assembly has given but a scanty allowance for doing, & such as is very far short of paying for the service done. During the sitting of the Assembly at Burlington I discovered an old chest full of papers belonging to that office, and among them many of the originall Laws, put in the garret of a house that I had hired, where I lodg'd my servants, & it was a great chance that many of them were not us'd for wast paper. They might have been as carefully kept at Amboy for aught I know, there having been no publick provision made for a place to keep them in either there or else where. There having been copies, of all the Laws made here, from time to time as they were made transmitted to the Secretary of State for the time being, and Duplicates of them to the board of trade, each of those offices are probably furnish'd with a compleat collection of them to lay before the house of Commons if they desire it; however I will do what I can for your Lps Information on that head.

Your Lps of the 20th of May 1740, requiring an account of the tenor

and amount of the bills of credit current in New Jersey, wth my opinion what would be the most ready way to sink and destroy them wth the least prejudice to the inhabitants, I layd before the Council, as I did your Lordships' of y^e 5th of July 1739, wth cōpyes of addresses Ordered by the Lords and Commons to be made to his majestie much to the same purpose. I sent your Lps the Report of the Council in answer to that of the 5th of July, w^{ch} I hope came to your Lps hands, but least that should have miscarried, I send your Lordships another transcript of the minutes of Council then sent.

I also send the minutes of Council commencing the 1st of Decem^{br} 1740, and ending the 2^d of May 1741. Among these last mentioned minutes there is one of January 1st, 1740, wth relation to y^r Lps letter of y^e 29th of May 1740, y^e 1st part of w^{ch} they concieve was fully & completely answered by their report of y^e 4th of Decem^{br} 1739; and gives an account of all the bills that have been and now are current in this province, except £2000 in bills of credit made current since for victualling and transporting the troops rais'd in this Collony sent against the Spaniards. This report of y^e 4th of Decem^{br} is on the two last leaves of the former minutes, & wth respect to the sinking of them, they think the best & most effectually way to do this would be to do it in the manner prescrib'd by the acts that gave them a currency. I propos'd severall questions to them, as y^r Lordships will see by the minutes of the 2nd of Jan^{ry}, w^{ch} they took time to answer; & on y^e 4th of Aprill following rather evaded, as I think, than answer'd directly. They would not allow that there was any alteration in our currency, but that bills of exchange had got to a higher rate than they had been, and that the Exportation being Encreas'd, the course of Exchange had fallen to 50 pr cent, & that the Increase of the Exportation was the chief cause thereof.

That there was no alteration of our currency I take to be a mistake. It is true that there was no nominall alteration, a bill mark'd 20 shillings pass'd for 20 shillings and was call'd 20 shillings, and would have done so if exchange had risen to 500 per cent as well as to 70 per cent, but y^e owner of the bill could not have purchas'd so much silver and gold for his 20 shillings, nor so much English cloth or what else of that kind he wanted as when silver pass'd at 6^s 10^d per ounce,—w^{ch} was the nominall vallue his bill was struck at; & unless silver and gold had risen in its vallue, exchange cou'd not have risen. And the reason of its rising I do not take to be owing to the British factors themselves, for y^e having sold their goods and receiv'd pay in y^e paper currency, and being under a necessity of making returnes to their employers, by from time to time offering great prices for silver, gold, or bills of exchange, have

rais'd the value of them, & those y^t have silver, gold or bills of exchange knowing the necessity these factors are under to make returns, will not part with them but at their own rate, & this or something like it would be the case when direct returns are wanting were there no paper currency: for, the mercantile part of men in these parts are of opinion (& I believe our Council thought the same way) that forreigne coyns of gold & silver are of the nature of piggs or ingots of silver and gold, a merchandise whose value, like other commodities, may rise or fall in proportion to y^e demand there is for them: and on this notion it has been by agreement among these sort of people that pistoles & silver have been rais'd in their value from time to time, & of different values in different Provinces according to the necessity there was of making returns, or the naturall foundation of credit there was for the bills of credit emitted, or both: & consequently English Gold & Silver must have rais'd also and have been current in payments at various nominall values in various Collonies; & this I take to be the various currencies meant. These nominall values of the coin, whatever they were, would purchase no more than the same nominall value of the paper currency would do: as, if a guinea went at 5 pound, (w^{ch} I think it did in New England,) it would purchase Just as much as a New England paper currency of five pounds would do, so that (according to our Council) there would be no alteration of the currency, 5 pounds being still 5 pounds; but it seems plain to me that if a guinea was at any time before that current at 30 shillings in bills of credit, that, when it was current at 5 pounds in y^e same bills, it required 5 pounds to purchase that guinea which 30 shillings of the same currency or bills would have done before, w^{ch} must make those bills (whatever nominall value was Impress'd upon them) of so much less reall value than they were before.

The falling of Exchange from 70 to 50 and after that so low as even to 25 p^r cent in 2 or 3 months time, and its rise again to 40, and rising, seemes to be too sudden to be owing to the increase of the Exports as our Council says, or the Contrary; and is said to be chargeable to another account viz. the want of specie, & of a sufficient quantity of currency to supply y^e ordinary necessities of Jersie & Pensilvania at y^t time: for much provision being to be shipp'd for the troops and Elsewhere in the West Indies, bills of Exch: would not purchase this unless chang'd into specie or bills of credit, both of w^{ch} being scarce there was a necessity of Lowering bills in order to procure it; & when y^t End was answered they soon rose againe, so y^t y^e fall of Exchange was not owing to a generall Increase of the Exports, y^t being (if I Judge rightly) little (if any thing) more this yeare than usuall, but to y^e time of doing of it

and peculiar circumstances attending that occasion w^{ch} may not in course of yeares happen againe.

As to the best way of sinking the bills (or whether it be best to sink y^m at all) is difficult to determine. Those of the Council that gave me their Opinion on y^r head, agree that it is best to let them Expire by y^r owne limitation : but when thats done, or if sunk sooner, unless there be a supply of specie or something that is tantamount, the reasons or necessity for making others, of some kind or other, to serve as a medium of trade in lieu of specie, will be as cogent & pressing as they were for the making those now in use : and if those reasons were good, it seemes not amiss to continue the practice while those reasons subsist.

It has been said that while Jamaica & some of the other Islands carry on a clandestine trade with the Spaniards & the West Indies, the northern plantations had Specie enough for their own currencie & to make such remittances as was sufficient to supply their wants : but that trade failing, & with it the supply of silver & gold, & their numbers & demands Increasing, they were under a necessity of having recourse to the Issuing bills of credit to supply y^e defect of specie, to serve as that did for a medium of Commerce. But remittances being necessary, & not to be made in those bills, those who had bills of Exchange or silver made their advantage of those who wanted, & being to be paid in those bills of credit would not part wth their bills of Exch: or silver, but on their own termes, & this depreciated the nominall vallue of the bills of credit in most of the Collonies ; in some more than in others in proportion to the naturall credit upon w^{ch} those bills were founded, but fluctuating and subject to change in all of them.

The Province of New Jersie sends but few vessells abroad ; w^h they raise is chiefly sent from the Eastern division of it to New York, & from the Western to Philadelphia, from which places they are for the most part supply'd wth what European Commodities they want—they importing but little of that kind themselves ; so that they are very much out of the case wth respect to the vallue of silver or gold, & what little they have (if any) comes from York or Pensilvania, but chiefly from the last, to purchase wheat for their own Exportation ; & their paper at the vallue it goes in Pensilvania wth those that take it, w^{ch} are not many : the generality preferring bills of credit currant amongst them, whose vallue they know, to silver or gold, w^{ch} they do not ; & few of y^m having need of remittances are not concern'd whether bills of Exchange be cheap or deare, w^{ch} may be one reason that the bills, or what they call the paper money of this Province, have not only retain'd but Encreas'd their credit, being now 12½ pr cent better than those of the neighbouring province of New York.

Silver and gold being the medium of Commerce in every Country where a sufficient quantity of it for y^e purpose is to be had, it seems necessary that in Countries where it is not to be had, that something else should be substituted in its stead to answer as far as may be that purpose. This the Northern plantations have done by bills of Credit, w^{ch}, in some of them, have prov'd a great Conveniency to the Inhabitants, Especially to those in this Province: and to destroy these altogether in places where they have retain'd their credit, without placing something in their stead that would answer the same ends, seemes to be very inconvenient for the Inhabitants & perhaps not beneficiall to the trade of their mother Country.

In things of this kind their will not be wanting various projections, and when duly considered perhaps few (if any) of them practicable with less inconveniencie than the methods now in use. Some have conceiv'd that y^e calling in all the bills that are now in use, and issuing others in their stead upon the same security, and lent in the same manner, wth this only difference of making the King the lender instead of the Governments here; to w^{ch} End they suggest that if his Majestie would be graciously pleas'd to ascertain what salaries he thought Propper to allow to his severall Governours, to the Councillors during their attendance in Councill, to the Secretaries, Clerks of the Councill, Judges, Recievers Gen^l, and other necessary officers of the Governments, and Incidentall Charges, at a Sterling value, & that so many bills of Credit be printed in or for each of the provinces that, when put out at a moderate Interest of 4, 4½ or at most 5 p^r cent, the Interest arising from them may defray the charges of each Government and that attending the printing and letting these bills. Each of these province bills to be distinguish'd, to be regularly paid in, & let out as now; & when worn or obliterated new made to change them as at Present.

This it is said will ascertain, or pretty nearly ascertain, the quantity of what they call paper money in the plantations,—prevent the making of any more for the future than what his Majestie will please to direct,—render the severall Governours, Councill^r and officers of the Government independant of Assemblies for their support, & consequently prevent these meane condescensions that are too often made to obtain a scanty subsistence; prevent the Governours from bartering the King's prerogatives, or lands, for bread; give the Councils a greater weight or Influence than they at Present have, and be a meanes of keeping Assemblies within their Just and propper limmits.

Some of these things are very desirable, but to obtain them seemes to require the aid either of the severall Legislatures in the Plantations

(w'ch it is not to be expected any of the Assemblies will give into if they can avoid y^e doing of it) or y^e of a Brittish Parliament; and how far they will Judge it fit bills of any kind should be currant in the Plantations is what I cannot say.—The people who are the borrowers, and who truly only support this Government, would be very indifferent whether such bills were made by the Authority of a British Parliament or Jersie Assembly; or whether lent by the Government here or the King, so as they could have them at a moderate Interest. Where Gold & silver is wanting, that it is necessary there should be something to pass current as a medium of trade in Lieu of it, seemes to me Evident.

Inclos'd is a proclamation I issued in obedience to the Commands of the Lords Justices, we are not in much Danger in this province of their acting contrary to the Act of Parliament, & I will do my utmost Endeavour that such as do shall be prosecuted.

I am my Lords &c,

L. M.

THE LORDS OF TRADE TO GOVERNOR MORRIS.

Whitehall, August 20th, 1741.

SIR:—Since Our Letter to you, of the 7th of March 1739–40, We have received no more than one from you, which is dated October 25th, 1740, together with the Papers therein referred to.

We are concerned to find that notwithstanding what We said in our last to you, which you tell us you communicated to the Assembly, notwithstanding all your own Endeavours to the contrary, they still persist in their Obstinaey of refusing to let the Council amend money-Bills, to which they have an undoubted Right according to his Majesty's Determination upon a like Dispute in the Island of Jamaica. We commend your Zeal in the Steps you have already taken, & must desire, you will on all Occasions continue the same vigorous Opposition to such unwarrantable Pretensions.

The Draught of an Act to enable Creditors to obtain Satisfaction of their recoveries against their Debtors, &c. being still before his Majesty's Counsel, We can give you no Opinion at present concerning it.

According to your desire, We have represented Mr. Home, as a Person proper to supply the Vacancy in the Council occasioned by the Death of Mr. Hooper; not doubting but you have a due Regard to the Characters & Qualifications of those you recommend to Us for that Trust.

We readily agree with you, that the holding Assemblies at different Places alternately must necessarily be attended with great Inconveniencies ; but as this has been the Practice ever since the Surrender of the Charter by the Proprietors to her late Majesty Queen Anne, & the Union of the two Provinces of New Jersey, at which time it was directed that Assemblies should sit alternately, in each Part of the united Province ; We cannot advise His Majesty to an Alteration of that Part of the Constitution, unless the Council & Assembly do concur in an humble Petition to His Majesty for that purpose.*

We have only further to acquaint you, that We desire that once in six months you would send Us over a List of such of the Members of the Council in your Government, as are either dead or absent, & that with regard to the last you specify from whom & for how long a time they have their Licence ; and that you take care to make an annual Return to the General Queries (copy whereof is herewith inclosed†) that We may be apprized from time to time of any Alterations that may happen in the Circumstances of your Government. So We bid you heartily farewell, & are

Your very loving Friends & humble Servants,

M BLADEN

R PLUMER

B KEENE

JA: BRUDENELL

The Assembly met this year at Perth Amboy, on the 2d October. The principal topics referred to by the governor in his speech, which was delivered on the 3d, were the necessity for one permanent seat of government and the remodelling of the militia laws ; with the usual reference to the fact that no provision existed for the support of the government. As there was nothing in the answer calculated to excite any ill feelings, the governor in a subsequent speech returned his hearty thanks for their "kind and affectionate address."

* Governor Morris endorsed this dispatch with its date, &c., and added "Commending my Zeale in opposition of the Assembly &c., Laudatur et alget."

† Similar to those on page 32.

This was on the 13th, when he took occasion to point out to the Assembly the propriety of making suitable provision in a gross sum for the incidental expenses of the government, and for providing for the expenses of the Council. He also thus alluded to the poor in the province :

“ Many of the poorer part of the inhabitants were very great sufferers by the severity of the season last winter, insomuch that I received several petitions to stop the exportation of grain to prevent their starving ; but their wants, tho’ great, upon enquiry, were not found of such a nature as to make such a procedure necessary. The industrious poor of a country are intitled to its care, and on such occasions should receive all the assistance necessary to preserve them ; and (if practicable) laws should be formed to prevent even their being poor, and becoming a burthen to others, as well as with most ease to relieve them when they are so. It is suggested, that prohibiting the exportation of grain when it is of a certain great value, would be of service on such occasions.”

The session closed on the 4th November, and the governor’s dispatches which follow present his views as to its results.

TO THE LORDS OF TRADE.

Trenton Decem^r 16th 1741

MY LORDS :—I receiv’d the Hon^r of your Lps of the 20th of August 1741, w^{ch} the Master of the ship had kept in the bottom of his chest above a fortnight, by which meanes it came to my hands so late (viz about 4 days since,) that I doubt whether this will reach y^e vessell now bound from New Yorke to London which prevents my being so full as I would otherwise be.

I wrote to your Lordships on y^e 16th of August 1741, w^{ch} was put on board of his Majestie’s ship under the Command of Captⁿ Warren, & I have not now time to transcribe it but hope (the Conveyance being safe) it came to your Lordships hands. I have since that held an Assembly at Amboy, the Laws there made, the minutes of Councill & votes of the Assembly are sent wth this, to w^{ch} I referre. The support being

Expired I chose the softest way of treating them, believing that method most likely to prevail upon them; w^{ch} had so far a good effect that the demagogues amongst them seem'd to lose much of their influence & grow into contempt, & it is not unlikely our next meeting may be attended with more success than the last; their obstinacy being in great measure overcome by the mildness I us'd with them; who had no room given them by me for contention, as themselves confess, & they parted with me in very good temper, or at least seem'd to do so.

The Assembly at New York had been rash enough to Resolve that they would not raise any support for the Government there, unless the Governour assented to all the bills they had sent or should send up to him. An account of this I believe will be transmitted by Mr Clark.—The nature of the resolve is too obvious to your Lp's to need any remarks upon it. This & other things shews what Assemblies in this part of the world are arriving at, & what is not unlikely to be the success unless they meet wth some more Effectual Check than hitherto they have done. Some of our Assembly did not want inclination to follow the Example, but it went no farther than to talk out of the house, they being at that time in too good humour to carry it any greater length.

Among the Acts pass'd this last session there is one Intitl'd *An Act to prevent any action under fifteen pounds being brought into the Supream Court of this Province*. In order to make this Act go the more Easily down, they had by their votes added to the Justices Salary £ 50, instead of 60 or 70, that it is said this Act takes from him, it also greatly abates the secretaries fees, & will take very much business out of the Supream Court & carry it into the Inferior County Courts, whose Judges (tho' the best I can get,) are very unequall to the task they undertake. This tends very much to lessen the Authority and influence of the Supream Court, & in my Opinion not beneficiall to the inhabitants, tho many of them for want of sufficient knowledge in things of this kind are persuaded to be fond of it; and one of the motives if not the Chief w^{ch} Induc'd the Assembly to send it up was (in my Opinion) to gain popularity, and recommend themselves to be rechosen in case of a dissolution. It being agreed amongst them to support the Government no longer than one year, (as their neighbours of New York had done,) they ran no other risque y^a of the £ 50 for y^e one year added to the sallary of the Chief Justice in case the Act did not passe, which they could in such case in the next application have comitted, as well as done other things to gratifie their resentments for not being Comply'd with in that point. I did not think it prudent as things were then circumstanced to give them any pretence for dissatisfaction, w^{ch} would have been particularly with

me, the Councill having assented to it. I therefore (the Act being temporary, only for three yeares) assented to it, choosing rather to represent this matter, than deny my assent, & submit it to your Lordships Judgments whether his Majestie's dissallowance of it is not adviseable : w^{ch}, if done, will (in my opinion) be more Effectuall to prevent any attempt of that kind for the future, than my not assenting to it at that time could have been.

I reccommended to them in my speech (pa: 7th of their votes) the putting our militia into such a condition as to render them more usefull for our defence, w^{ch} they in their answer (pa: 12th) promis'd to do, but regardless of what they then promis'd, declined the doing any thing in it. This is attributed to the influence of those call'd Quakers amongst them ; who, tho perhaps they might not be displeas'd if the thing was done, yet cannot, agreeable to their principles, countenance the doing of it, or consent that it should be done, lest they should be charg'd with acting against their Principles : and those of their neighbours in Pensilvania so strictly (if not Imprudently) at this Juncture adher'd to in that particular, w^{ch} has created and continued an irreconcilable difference between them & their worthy Governour, neither of which having the art of forgetfullness seemes to render any agreement between them impracticable. There were numbers sufficient in our Assembly, had they been resolv'd, to have carry'd the point against them ; but being divided, both parties were unwilling to dissoblige those who by Joining with either would render the other incapable of doing any thing. I have, for your Lps information, at the beginning of the book of Votes mark'd the demagogues said to be against the Government wth (D) those that heretofore us'd to Join them wth (X) & the Quakers wth (Q). What I reccommended to them in my first speech, pa: 4th &c, and in my second, page 18th &c, wth respect to their making a provision for the attendance of y^e gent^o of the Councill, for Incidentall charges, & for taking care of their bills of Credit, was without effect.

At the close of the sessions, the Gentlemen of the Councill and Assembly Joyn'd in an address to me relating to an Encouragement to be given for making of Iron, desiring my reccommendation of it ; it comes herewith Inclos'd to speake for itselfe, & your Lps will be Judges how far the reasons they offer are Cogent & propper to Induce his Majestie and a British parliament to grant what they desire. I know there are great quantities of Iron mine, and very good both in y^e Province of New Jersie, New Yorke & Pensilvania, & I believe sufficient not only to supply Great Britain & Ireland but great part of Europe : & if made will be paid for in British Commodities, w^{ch} in case of such Incouragement will come

better and cheaper to the inhabitants than any thing of that kind they can make themselves, & also free them from the necessity, & consequently the temptation, of attempting any thing of that nature; but of this your Lordships are better Judges than, my Lords, Your most Obedient humble servant,

LEWIS MORRIS.

To the Lords of Trade.

TO THE DUKE OF NEWCASTLE.

Trenton Decem^r 16th 1741

MAY IT PLEASE YOUR GRACE:—I send with this the Laws, votes of the Assembly and minutes of Council, during the session of Assembly in October last at Amboy. Among the Laws then pass'd there is one intitled *An act to prevent any action under fifteen pounds being brought into the Supream Court of this Province.* This Act the populace are made to be very fond of, &c: [a similar paragraph to one in preceding letter.]

It may perhaps seem strange to your Grace that an American Assembly should make the passing of any law a condition, sine qua non, of supporting the Government; but the Assembly of New York came this yeare into a resolve that they would not raise any support for the Government there unless the Governour first assented to all the bills they had sent or should send up to him; this & other things shows what Assemblies in these parts of the world are ayming at. To what lengths they will carry their Endeavours unless they meet with some more Effectuall check than hitherto they have done my superiors can best Judge. Some of our Assembly I believe want not an inclination to follow this rash Example: but being in good termes with me it proceeds no farther than chat out of the house. [A paragraph follows relating to the proposed militia law similar in its tenor to the one in the preceding letter.]

I had a letter from their Excellencies the Lords Justices, of the 11th of July 1741, upon application made to them by Mons^r Hop, minister from y^e States Gen^l, concerning one La Vaux, a Captain & Engineer in the service of the Dutch Company in Surinam, who had clandestinely retired from thence the January before. This La Vaux was in this province & that of New York & Pensilvania, about three yeares since, made me a visit in passing through this Province, and presented me wth an engrav'd sheet map of Surinam. What came of him since I cannot tell. He is

not in this Province that I can learne, and believe he is not in York or Pensilvania: but heare he was Imprison'd in the Island of St Christophers as a spy, this last summer.

There has been one Hopkins sent from Jamaica to New York to raise recruits. He got a few men there, and an officer he sent, got a few in Pensilvania. I am told he had letters to me from the generall, but I neither saw him nor heard any thing from him. The usage the men sent on this expedition from these parts have met with is said to have been very bad, & that there was neither surgeons nor physicians to care for them, nor suitable covering for them, which occasioned a great mortality amongst them. Whether these reports are true or false they obtaine credit, & will make recruiting very difficult, if not Impracticable here, unless it be to go under officers of their owne. This I thought my duty to informe your Grace, and am, my Lord,

Your Grace's most obedient &c

LEWIS MORRIS.

[Postscript referring to the proposed iron manufacturing scheme, as on page 141.]

TO GOVERNOR THOMAS.

Trenton April 10th 1742

SIR:—If I remember your proposalls at Yates, concerning the letting of your house nigh this place, they were that you would expend £200 in putting of it into repaire & building of a wing for a kitchen to lodge servants: & would, so repair'd, let it with the grounds about it within fence for £60 per annum—that the lessee might cut his firewood, but not of timber trees—that there should be a lease for 5 yeares, & that if I became your tennant, the lease should determine within the 5 yeares, if either I dyed or his majestie was pleas'd to remove me from the government. I should have added another condition, w^{ch} tho' it may seem unlikely to many that it should happen, yet your experience has shewn it to be possible, & I believe it not improbable in case those I have to do with take it in their heads, w^{ch} I have abundant reason to think them capable of doing, & that is—withdrawing the house rent or sallary, w^{ch} if they do I shall be under a necessity of going to my own house, in w^{ch} case it would be hard to pay £60 per annum. [The repairs necessary are then referred to at some length.]

A notion has obtain'd that it is an unhealthy place; & it may prove

so for aught I know; but I own, according to the best Judgment I can forme, I cannot see any reason for it if the meadows be well ditched, the cellars be made dry, & more airy, and gutters fitted to the house. I shall then be inclined to take it if this can be done about or before the 25th of June next. I shall be willing to take it for three years on conditions before hinted; but as your distance from mine is too great to transact this affaire by letter, I could wish you would employ some body on whom you can depend to agree with me that I may govern my affaires accordingly.

I am told there is little timber on your land, & I have observed it myselfe, but there will be some wanting to repaire & make fences, w^{ch} should be allow'd for that use when wanting, & the barne should be repaired.

I am Sir &c L. M.

To the Hon^{ble} George Thomas Esqr Govern^r of Pensylvania

TO MRS. NORRIS.

Trenton May 14th 1742

MY DEARE CHILD:—The post being expected every moment, I have only time to tell you that I have receiv'd your letter and the things by Farmer. The beer was sent most injudiciously to New York, for there is a vast deale, about 9 dozen & more, wanting & broke, w^{ch} in probability would not have been so had they been sent by way of Philadelphia as I directed; there being water carriage from thence to this place, & but one removall out of the ship to the boat w^{ch} would have brought it: whereas at New York, it was first landed, then carted up the broad-way, then down againe to the water side, then put on board a boat to New Brunswick, & then carted 30 miles to this place:—so that you may Judge how likely it was that any thing of that kind could come tolerably safe. You knowing the scituation of this place so well, I was indeed much surpris'd to find beer come that way when I had desired it to be sent the other. You must have very much forgot this scituation or you would not have sent it the way you did & subject it to 30 miles land carriage, which is very deare in this country as well as unsafe, when it might have come by water for an 8th part of the price & much safer. I hope you will not commit the like error a second time, but send by way of Philadelphia, & let the bottles be wired downe (w^{ch} these were not,) & if sent in hampers let them be of the best kind, made of wicker, w^{ch}

may be usefull here, but these are not. * * * * * 18th May. I thank you for your bottles & the care you have taken in purchasing my things; but you or I miss'd in one thing, viz to get silk, buttons and mohair for my cloathes, & therefore Inclose the patternes that they may be got. There will not need above 5 dozen of coat buttons, & 4 dozen for the waistcoat, & 5 dozen of blue for the banyan & waistcoat, with silk and mohair necessary, w^{ch} the taylors can tell how much will do. I send for more than sufficient, because we cannot be supply'd with as good here in case we should want. I shall not be long in your debt, being to draw for money advancing here to recruiting officers, who as yet make but a poore hand of it. I am allso to thank you for your Eider down; I did not know that you sent it. Your mother and I were enabled to beare the severity of the hard winter the better for it. Your mother is pretty well, unless now & then out of order. * * * * *

As to agents, unless the Court is dispos'd to do us service, no agent can do us much: & I cannot say our conduct seemes likely to prevaile on those at home to do us any: or that it promises ever to be such as to induce them to it should they ever give themselves leave to think any thing concerning the Plantations; w^{ch}, what is call'd, more important business at home has hitherto seem'd to prevent them from doing, & I suppose will do, till they can forme adequate Ideas of our consequence to them & the British trade. Till then, an agent that will deliver our letters & call for and send the answers to them, & sometimes (but rarely) employ a councill when any thing is upon the tapis in Parliament concerning us, seems all that is of use in our present circumstances to us; & the doing of this requires no great abillities to Perform, nor no great sum of money sufficiently to reward the trouble of doing.

By the publick prints the British affairs seem to be in great confusion; how or when it will end God only knows. If the ferment subsides, & the true Interest of the nation prevails, it will be well; but sometimes partie heats produce effects not intended or so much as dream'd of by those ingaged in them. Perhaps during this hurly burly the governments in America may not be thought of, but if the ministry changes it is not unnaturall to suppose that those employ'd by the last may not be look'd on in the most favourable light by their successors, and amongst the rest such a reptile as my selfe, (tho' now treading on the verge of life & far from being an advocate for arbitrary power,) may be remov'd to make room for some new man that will think this government worth soliciting for. But as I have given no occasions for any complaints against me, so I stand so well with the people that I believe none of them are inclin'd to make any, but if any are made then I am willing to believe

every ministry will be so Just as not to determine against me without hearing my defence. I desire you would learn as secretly as you can whether any body is soliciting for it, & upon what foot. I need not say more to you on this head but that, if there are any changes, you would give me your opinion whether I am likely to stand fair in theirs.

You will make the tender of my sincere regards acceptable to Sr John & Lady Norris, to whom I wish many happy days. Your mother Joins with me in praying for the same for you, the hearing of your well-fare being allwaies an addition to the happiness of, my deare child,

Your affectionate father, L. M.

TO PETER COLLINSON,* MERCHANT IN LONDON.

Trenton May 24th 1742

GOOD SIR :—I thank for y^e favour of yours of March 10th 1741–2. I wish it was as much in my power as it is in my Inclination to do so much for poor Bertram as he deserves.† The man is really a good man, & considering the little opportunities he has had of information, has made a wonderful progress in the knowledge and discovery of plants. I wonder how he has been able to do so much, wth the small encouragement he has receiv'd in a country where he has little to depend on for his bread but the labour of his hands. He scruples no paynes nor declines the most toylsome Journays through wildernesses and o'er most unpassable mountains, for the making discoveries that may prove beneficiall to the present & future ages, & merits greater rewards than he gets. There was a subscription propos'd for him, in which I promis'd him £5 per an-

* Mr. Collinson was the correspondent of many distinguished men in the colonies; and his letters, of which several are preserved, show him to have possessed more than ordinary intelligence.

† John Bartram, the distinguished American botanist, was born in 1701. While pursuing his avocations as a plain farmer in Pennsylvania, he cultivated his taste for botanical researches, until he secured the high commendation from Linnæus of being "the greatest natural botanist in the world."

He was self-taught, not only in botany, but also in the rudiments of the learned languages, and medicine and surgery. The first botanic garden in America was founded by him, on the banks of the Schuylkill, and he contributed largely to the gardens of Europe, with whose distinguished naturalists he was in correspondence. He died in 1777, in the 76th year of his age. The encomiums of Governor Morris were fully deserved, as he ever bore an exalted character.

num during my continuance in the government, but I have not heard what is come of it. If things proceed as you tell me they have begun, perhaps my small pittance may not be of long continuance to the good man; but I, being something of an enthusiast, believe that God governs the world wth wisdom, & that all the dispensations of his providence are for the best, however harsh they may seem to us, which makes me pretty easie. I have given no cause of complaint against me, nor are those I governe inclin'd to make any, but are perfectly quiet & think themselves the most easie and happy people of any Collony in North America. I am allmost Incln'd to think there are some periods of generall madness; it seems evidently to have been so in Europe and a great part of Asia. What wonderfull changes & revolutions have been in the course of a few yeares, & who is it in the most exalted station can call himselfe secure. Our friend Sir Charles* is no stranger to the course of this world, and, as I take him to be a good man, the peace of mind w^{ch} he possesses will make it calme within whatever stormes are without, and afford him a pleasure w^{ch} those who want that peace are strangers to. If he is remov'd, I wish his success', whoever he be, may for the good of the nation discharge that important trust as well as he has done. I can't help grieving with more than common emotions when a brave & good man falls a victim to popular fury; but that God who stills the raging of the sea, can abate the madness of the people and direct it to such purposes as will be most conducive to the publick good. I shall be obliged to you if you'll make the tender of my gratefull regards acceptable to him & his good lady. I sincerely wish his prosperity, & would contribute to it if I could: his being in adversity I believe would be a grief to all good men; I am sure it would give much concern to, Sir,

Your Affectionate friend & Servant,

LEWIS MORRIS.

To M^r Peter Collinson, Merch^t in London.

TO COLONEL FARMER.

SIR:—What follows is a copy of w^t I propose to write in your Son's behalfe. I send it for your correction & alteration, if you think proper to make any that you think will be more effectuell for his service or that of your family.

I am, &c.

L. M.

* Sir Charles Wager.

TO GENERAL WENTWORTH (INCLOSED IN THE FOREGOING.)

July 5th 1742

SIR:—I Receiv'd the honour of yours of the 2nd of Feb^r 1741 from Jamaica by Capⁿ Farmer, and another of August 12th before, from the River Humber in Cuba, much to the same purpose—concerning recruiting.

When I receiv'd his Majestie's Commands for raising forces here, I understood by his grace the Duke of New Castle's letter to me, that a number of blank Commissions would have been left with me to give to such gentlemen as would be diligent in using the interest of themselves & friends to raise a Company to go upon the then Intended Expedition. Upon this view severall gentlemen of Interest in their neighbourhood offred their service, & I did from our Assembly obtain £2000 towards the transportation of the forces to be rais'd, & I did not doubt could have rais'd two full companies of one hundred men each; but when Coll^o Gooch, who had the Commissions, left but two of these with me, & no armes, & being sent to this place for more than two Companies, it prov'd of great discouragement to that affaire, all concluding (whatever I could say to the contrary) that no more was intended to be rais'd here than the two Companies for w^{ch} Commissions were sent. Certificates from the govern^r, instead of Commissions, was not well understood at that time, & therefore the effect of them doubted, & some intended officers that had made good progress declin'd proceeding any further; but Captⁿ Farmer, who had rais'd a third compleat Company, with no small expense to himselfe & friends, Ventur'd on a certificate, tho' he was (being unacquainted with things of that kind) doubtfull of the success & somewhat dissatisfied; & his father having been then of the Assembly, & having been very instrumentall in procuring the £2000 from them, his relations (not wthout some shew of reasons) thought themselves not well us'd; but as things were then circumstanced I could do no otherwise, & I hope he has behav'd in such a manner as to deserve encouragement. The bearer of this, M^r John Farmer, is brother of Captⁿ Farmer, & youngest son to the gentleman of our Assembly to whose influence I owe much of the succe^{sse} I have had in procuring the sum rais'd on that account,—& whose endeavours I much depend on to promote this or any other matters in that house usefull for the publick service, when proper to bring it upon that tapis there,—this son goes now a Voluntier in the

service, & is the second son his parents have parted wth on this account. He has been as assistant as he could in raising what recruits go by this conveyance, & I perswade myse^{lf} his father's merri^{ts} & his own good behavior will recommend him to your notice.

The succe^{ss}e of that Expedition not having prov'd adequate to the expectations entertained of it, & the great mortality occasioned by the Inclemency of the seasons in that part of the world, renders recruiting here a very difficult task & next to impracticable, & the obtaining of any money from the Assembly here for their transportation altogether so; nothing being I think to be got from them. Our chief trade is an Inland trade to New York & Pensilvania, and we have but few (if any) merchants that trade to Europe, so that it is not easie to get money here for bills of exchange, especially for those drawn upon the government; & it is with no small difficulty I have been able to procure the trifle allready advanced for recruiting. Powerfull reinforcements from Britain may give a new turne to things & enable you to gather those lawrells that at present seem out of reach; & no body more heartily wishes it than, Sir,

Your Excellencie's most humble & Obedient Servant,

L. M.

To Gen^l Wentworth, by M^r John Farmer.

THE LORDS OF TRADE TO GOVERNOR MORRIS.

Whitehall, August 3^d, 1742.

SIR:—Since Our Letter to you of the 20th of August 1741, We have receiv'd yours of the 16th of the same Month, and of the 16th of December 1741, together with the Laws and other Papers referred to therein. But we must observe to you, that you are directed by your Instructions to send your Observations with the Laws which you transmit to Us, which We hope you will for the future comply with.

We are sorry to find by the first of these that the Records of the Government of New Jersey have been so much neglected, and that so little Care has been taken to preserve the Laws. We hope, you will use your best Endeavours with the Assembly to appoint a proper House for that Purpose, & to allow a reasonable Salary out of the publick Levies, such a one as may be Sufficient to enable the Officers to provide proper Copies & Entries of all publick Papers, as well for transmitting them to the proper Offices here, as for the securing them in the Province.

We are willing to make the Transmission of the Laws of your Colony

as easy to you as may be, and therefore, provided you will send us exact Copies of them examined and testified under the Seal of the Province to be authentick, whether they be in Print or in Writing, they will be equally satisfactory to us. And as several of the Laws are already printed, We apprehend the Labour & Expence in this particular will be greatly abridged.

We observe what you write in Regard to Paper Currency, & hope you will take effectual Care for the punctual sinking the outstanding Bills in the manner prescribed by the several Acts that establish them, and use all other proper means of keeping up their Credit, & preventing their increase, that in time, an End may be put to a Currency which has been attended with so many Inconveniencies. We desire therefore you will continue to give Us, from time to time, an Account of what Number of these Bills are paid off and sunk.

We are sorry to hear by your other Letter, that the Obstinacy of the Quakers among you has been such as to prevent the passing the necessary Laws for putting the Militia on a proper Foot for the Defence of the Province; But We hope that by a gentle and prudent Management of them at their next Meeting you will prevail with them, to provide in the best manner for the Safety of the Governm^t in which their own is included.

We have respited laying the Act you complain of, Entitled, An Act to prevent any Action under fifteen Pounds being brought into the Supreme Court of this Province, before his Majesty until We hear from you what Effect it has had, which We desire you will inform Us of in your next.

What you mention concerning an Encouragement for making Iron, We have transmitted to the Duke of Newcastle, together with the Address of the Council and Assembly to you upon that Subject, in order to their being laid before his Majesty.

Col^o Montgomery, in a Letter dated December the 20th, 1730, inclosed Minutes of Council of New Jersey to the 15th July 1730, as likewise Minutes of Assembly and the Acts passed that Year; from which time to the Commencement of your Government, We only receiv'd Six Acts pass'd in 1733, and Minutes of the Council beginning March the 16th, 1735-6, and ending 29th October 1736. We must desire you therefore to send Us Copies of all other Journals & Minutes of the Council and Assembly, with the Acts if any pass'd in that Interval of Time, together with Answers to the Queries sent you in our last, as soon as possibly you can; And the other Accounts required by your Instructions, especially the Receiver General's Accounts of all Receipts & Payments of

publick Money in East and West New Jersey, since you have been Governor. So We bid you heartily farewell, and are

Your very loving Friends and humble Servants,

MONSON

R PLUMER

B KEENE

M BLADEN

JA: BRUDENELL

Hon^{ble} Lewis Morris, Esq^r, Governor of New Jersey.

GOVERNOR MORRIS TO GENERAL OGLETHORPE.

Burlington Novemb^r 12th 1742

SIR:—I Reciev'd the hon^r of yours of the 31 of July last by the Express you sent along the Continent, who is now got thus far back on his return to you. The Contents of it gave me Very great Pleasure, as it Inform'd me of your health, and of y^e great or rather Wonderfull success, God has been pleas'd to give to his Majestie's arms under your Conduct: * & I doubt not has effectually convinc'd the aggressors, how unable they are to Cope wth Resolute British troops, and I hope will be a sufficient discouragement to a second attempt of that kind, w^{ch}, if the first had succeeded, might prove of dangerous Consequence to his Majestie's Plantations on this Continent—especially the more Southern ones. You have Gathered unenvied Lawrells, & well deserve to weare them. I take leave to assure you that no body can be better pleas'd wth your success than, S^r, your Most humble & Obedient Servant, L. M.

To his Excellency James Oglethorp Esqr, Captⁿ Generall and Command^r in Chief of his Majestie's forces in South Carolina & Georgia.

On the 16th October the Assembly convened at Burlington. Mahlon Stacy, a member from the county of Burlington, had died during the recess, and Thomas Shinn was subsequently elected to fill the vacancy.

The governor addressed them very briefly the same day, and there was every probability of a har-

* In repulsing the Spaniards on their invasion of Georgia the July previous.

monious session, but, as will be seen by the following dispatches, it was brought to a close on the 25th November by a dissolution.

GOVERNOR MORRIS TO THE LORDS OF TRADE.

Trenton Decemb^r 15th 1742

MY LORDS:—I reciev'd the hon^r of your Lordships of y^e 3^d of August last on y^e 28th of October following at Burlington, where I was then Holding of an Assembly w^{ch} I dissolv'd on the 25th of November. I believe I shall not be able to get the minutes of Councill & Assembly transcrib'd timely enough to go by this conveyance from New York, (if not allready gone) but I will get what I can done for your Lps information. I pass'd but one Law for the support of the Government for one yeare, & by what I said to them on their dissolution your Lps will see the reasons w^{ch} I gave why I did not pass the others, tho' pass'd by the Councill and Assembly, w^{ch} are Humbly submitted. They were much disgusted with the practitioners of the Law, & I believe the generall complaint against them is not without some foundation from the ill practices of some of them, & w^{ch} the Courts have sufficient authority to correct when such ill practice is made known to them: but this clamour, however Just it might be in some instances, (tho it was the pretence made use of,) the reall intention was to lessen the fees of the secretary & other officers of the Government: & to render their intentions effectuell they had resolv'd among a number of themselves to annex their fee bill to the bill for support of the Government w^{ch} was with much difficulty prevented. One Smith of their house (not of the best reputation) who was defendant in a suit in the Supream Court, consented to a rule of Court that the matter in dispute should be left to referees and he being, as he Judg'd, secure of recovering a small sum, the rule was drawn by the defendant's Councill in such manner as to make the costs of the Supream Court payable by the person against whom the Judgment was given; w^{ch} Smith concluded would be given against the Plaintiff; but the referees found him in the plaintiff's debt, and the Court upon solemn argument gave Judgment against Smith for the costs. He complain'd of this to the Assembly & they appoint a committee of grievances. This being the first of the kind since I came to the Government, every body wondred what was the Grievance—there being so great a seeming agreement, at least between the Govern^r and the Assem-

bly, & no Complaint in the Country. But it being soon known, Smith was generally blamed.—The Councill concern'd against Smith in the Court Doubting how far the resentments of the Assembly might be carry'd against him as a lawyer, spoke to all or the greatest part of the Committee, as he had opportunity to meet with them, to convince them of w^t he call'd the Villany of Smith's procedure, and pray'd to be heard upon it; but they being asham'd of the thing declined hearing of him; & to keep up their pretences of taking Cognisances of Judgments given in the Supream Court, did by their votes of the 19th of Novemb^r refer the matter to farther Consideration.

They had before this sent for the Attorney Generall by their Sergeant and one Jones a lawyer, w^{ch} y^e Attorney had employ'd in the prosecution of some criminall in one of their County Courts, who was convicted, but not having wherewithall to pay the Charges of prosecution, it is by act of Assembly to be rais'd on the County by the Justices and certain persons chosen call'd the freeholders, w^{ch} Jones required them to do, and on their refusall, it seemes threatened to take out a writ of Mandamus to compell them to do it, w^{ch} he conciev'd it to be their duty to do; but some of them not being of that opinion were prevail'd upon to petition the Assembly. Jones being brought before the Assembly said what he did was by the direction of the Attorney Generall, & upon that was discharg'd, paying his fees, & the Attorney was sent for in custody of their Sergeant, & he being much frighted, when he came before y^m deny'd his having given any such direction, & blam'd Jones for doing what he did: so the House discharg'd the Attorney upon the payment of fees.

Hitherto they had proceeded without interruption & I suppose took my silence for an approbation of their Conduct: but their votes of the 19th of November being sent me, in w^{ch} they had made an order that the Treasurer should pay any of the bills now currant in his hands for bills made currant in the yeare 1724, & ordered one of their members to advertise these orders of theirs in the publick prints, I Judg'd these votes gave me a fit opportunity to put a stop and give a check to proceedings I conciev'd of such dangerous tendency, & therefore order'd the Assembly to attend in the Councill Chamber, w^{ch} they did. When they Came I told their speaker I had observ'd such an order in their votes sent me, and ask'd by what authority they took upon themselves to make such an order, w^{ch} no less than that of the whole Legislature of this province Could do; an act of the Generall Assembly of this province having limited the Currency of these bills of 1724 in the treasury, to a time long since pass'd, beyond w^{ch} they were not to be receiv'd in the treasury nor any bills to be given in Exchange for them? & whether

they believ'd themselves to have the whole power of the Legislature of this province in their hands ? and represented their doing so as a crime of a very high nature.

These questions being unexpected, startled them very much, and they were silent for some time. At length one or two of the boldest of them began to attempt an answer and excuse, but these I stop'd short by telling them that I could receive no Answer as that of the house but from their speaker, & so dismiss'd them for that time.

The next day Nov 20th they by message inform'd me that what they did was in pursuance of agreements between the Committees of Council & Assembly, particularly one reported in 1740, without any designe of attempting any other power than what was agreeable to that report ; & to remove any Jealousy that I might entertain of their assuming any power that did not belong to them, they were willing to recede from it.

This I communicated to the Council who let me know there had been such an agreement between former Committees of Council & Assemblies, and reported, but the report not sign'd or agreed to by the Council : which I let the Assembly know & that no such order was made, or, if it had, the treasurer would have been Criminall in Obeying of it, & therefore had them revoke y^e order they had made & not presume to make any such for the future. I refer to the votes & minutes for a more particul^r account of these things : it was no small mortification to them to own themselves in the wrong. What was rather more disagreeable to them was the peoples' beginning to have a mean opinion of them for that, & the other parts of their Conduct.

They had pass'd severall bills to w^{ch} the Council had assented. Their private bill, if I may call it so, for giving me £500 for passing their other bill for making of £40,000 in paper bills, was pass'd by the Council nem. con.—I suppose as believing it agreeable to me to do so. And my son being sick & not able to attend the Council, their bill for making £40,000 currant in paper bills also pass'd nem. con. This bill had a suspending clause, not to be in force till it obtain'd the Royall assent, but there was no certain provision made for the support of the Government nor for making necessary buildings for the Governour's Residence, & places for sittings of Councils, & keeping the publick records ; & the Brittish Parliament having so lately apply'd to his Majestie against bills of that kind, & your Lps directing the bills now currant to be sunk as soon as may be, I thought it proper to reject their favorite bill, w^{ch} Contain'd nothing in it to induce his Majestie to assent to it or your Lps to Recommend it to him for that purpose.

Your Lps may observe from their private bill, designing me £500,

what has been the generall if not prevalent motives that have Induc'd Governours to assent to the making of bills of credit.* I take leave further to observe to your Lps, that I begin, not undeservedly, to be ranked among the number of old men—being pass'd seventy-one: and that all the Councill^r residing here and on whom the administration of Government is likely to fall whenever it shall please Almighty God, or his Majestie, to remove me from it, unless it be the deputy secret'ry & my son, seem to be more under the influence of the Assembly than will be consistent with such a trust, & will not want temptations to break it by consenting to such an act for making paper bills currant & some others that have been offred to me even without a suspending clause. I therefore Humbly submit it to your Lps Judgment whether it may not be proper to reccommend some person to his Majestie for Lieutenant Governour of this province, who, hoping and Expecting the Continuance of his Majestie's favour, may not be so lyable to impressions of that kind as a person who will be only pro tempore may be.

I being oblig'd to change my habitation, my removing, and my son's sickness at a place about 46 miles from the place of my abode, & the late sitting of the Assembly distant from my own habitation, prevented my answering your Lps Queries. As soon as I have finish'd these letters I am to write by this Conveyance I shall set about making what answer I am able to make to them: & to get the Coppies transcrib'd of the minutes of Councill & Assembly your Lordships mention'd to be wanting, if to be found. I do not know any such officer as a reciev^r generall in this Province, unless it be the two Treasurers of the Eastern and Western division of it; these only pay and receive the publick money, and your Lords'ps have Constantly had accounts of these transmitted in the minutes of the Councill and Assembly.

I have not yet Issued writs for the Choice of a new Assembly, but

* In his speech dissolving the Assembly, the governor thus alludes to this subject:

"Your bill for paying the expenses that may arise in printing and signing &c, the sum of £40,000, I am told was intended should be passed in a *seeret manner, peculiar to itself, as usual*, and not sent Home, that the Ministry might not know I was to have 500 pounds for passing it. The offering this, I suppose, you believed would be sufficient inducement to obtain my as-

sent to your £40,000 act. Your making of that offer, shews what your notions of virtue and honour are, and what many of you would do if in my case, for a much less sum: But you mistook your man; for, if I know myself, your whole £40,000 would not have prevailed upon me to have acted so mean a part. If I recommend any Bill, it shall be (what I deem) the intrinsic goodness of it shall induce me to do it, and not any sum you can give me."

shall soon do it and am not without hopes of changing for a better : some counties blaming much the conduct of the last, and its said are resolv'd to change their members. But be that as it will, I thought it my duty agreeable to the trust his Majestie had been Graciously pleas'd to repose in me, to put a stop to & check proceedings severall of w^{ch} I believ'd to be of dangerous tendency, and in the Assembly an assuming of a power they were not intitled to & destructive of his Majestie's Just prerogatives & their dependance. But submit this to your Ldships better Judgment.

The forreign Trade of New Jersie is not considerable. I think they have three Briganteenes & about 4 or 5 sloopes that trade to Madera & the West Indies : most if not all their European Commodities are supply'd from New York & Pensilvania, in exchange for wheat, flower & Timber ; w^{thout} w^{ch} last it is said Pensilvania cannot build a ship or even a tolerable House, nor ship off a Hogshead or a pine stave ; & New York has also a great supply of timber from this Province ; and without our wheat and flower neither of them can carry on the trade they do, so that what paper we have for the most part circulates amongst ourselves, & having no specie, but those bills, what we have is really not sufficient for our use ; & £40,000 or a greater sum added would not be too much for the use of the province if made for proper Ends & motives to induce the Government to grant it, & put under proper regulations to keep up its Credit ; w^{ch} by the care taken since my coming to the Government is £12, 10, 0 p^r cent better than that of New York and Rising, & that of New York Vastly superior to that of New England, £300 of w^{ch}, as I am told, will not purchase £100 of New York money : & if I am rightly inform'd, it is to the people of New England is chiefly owing the Complaints that have been made concerning a currency of that kind. But whatever the reall or pretended necessities of this Collony are, no bills of that kind shall be pass'd without a clause suspending their being in force till his Majestie shall be pleas'd to approve of them by, my Lords, your Lps &c,

L. M.

To the R^t Hon^{ble} the Lds of trade.

[A letter of similar date to the Duke of Newcastle, refers to the same topics but less in detail.]

TO HENRY PELHAM, PAYMASTER GENERAL.

Letter of Advice.

Trenton in New Jersie Decemb^r 19th 1742

RIGHT HON^{ble} SIR:—Generall Wentworth, who sent Captⁿ Robert Farmer, of Coll^o Gooches Regiment, into this Province to raise recruits for his Majestie's Service in the West Indies, in his letter to me dated at Kingston in Jamaica y^e 2^d of Feb^ry 1741–2, says, “As I have here no means of supplying the Recruiting officers with money, you will s^t be Pleas'd to give the aforesaid Captⁿ credit for such sums as may be wanted for that service, & to draw upon the Right Hon^{ble} Henry Pelham Esqr, the pay M^r Generall, for the said use; & as to the particular sums to be paid to the recruiting Officer, I refer you to his Instructions w^{ch} he will lay before you—the 3rd Article of which is in these words, viz. You are to apply to the Governour of the Jersies for money to enable you to begin, & carry on your Reeruting, & you may recieve from him foure pounds for Each man you shall have rais'd, deducting the sum you shall have reciev'd on account. Signed Tho Wentworth.”

Pursuant to this letter and Instruction I paid to the said Captain £132 Jersie money, w^{ch} at the then & now common Exchange amounts to £88 Sterling for Raising twenty two men, and sending them off, as will appeare by receipt given me by the said Captain Farmer for the said sum, and a Certificate from John Hamilton one of his Majestie's Councill here, & Andrew Johnston Mayor of the City of Perth Amboy, of the said twenty two men being shipped & mustred on board the ship Albany bound to Jamaica, w^{ch} will be given you with this and a bill of Exchange I have drawn on you according to the Directions of the said letter Payable to M^r Eupham Norris or order, w^{ch} I humbly hope will be accordingly paid. I am, Right hon^{ble} Sir, &c L. M.

To the Right Hon^{ble} Henry Pelham Esqr, Pay Master Generall of his Majestie's forces.

TO THE LORDS OF TRADE.

Trenton December 20th 1742.

MY LORDS :—The Council of the generall Proprietors of the Eastern Division of New Jersey in the month of October last, presented me a memoriall which I take the liberty to enclose your Lordships. The facts contained in that memoriall are most of them consistent with my own knowledge, and I was assistant as one of the Council in the passing of the Act which your Lordships are now desired to recommend to his Majesty, intituled “An Act for Regulating the purchasing of lands from the Indians.” This was the only bill that passed into a law at that session of Assembly and I did believe it had been transmitted long since by my Lord Cornbury who was Governour at that time, and had received the Royall approbation.

What occasioned the Act was the peoples’ purchasing lands of the Indian-natives without lycence from the Proprietors and setting up that Title against that of the proprietors who held under the crown; which was of dangerous consequence both in this Province and that of New York and always opposed by the Governours of that province, and I conceive it is worthy of his Majesty’s Royall approbation, being in my opinion a beneficiall Law not only to the Proprietors, but to the Inhabitants in generall who claim under them, as preserving to them the enjoyment of their lands against unjust claims and clandestine and fraudulent purchases of the Indian natives, and consequently from Law suits and contentions on that head, which seems to me derogatory of his Majesty’s Right.

It is for these reasons I humbly beg leave to Recommend it to your Lordships, for the Royal approbation; and Transmitt your Lordships a copy of the Act under the seal of the Province.

I am no Proprietor myself, nor concerned with them, holding by title under S^r George Carteret paramount to that of the present proprietors; but am, My Lords,

Your Lordships’ most obedient humble servant,

LEWIS MORRIS.*

* This letter is from a copy in the Rutherford Collection. The law referred to was all-important to the proprietors; and for more than a year it had been lying before the Board of Trade unheeded, in consequence of

TO JAMES ALEXANDER.*

Kingsberry Dec^r 23^d 1742

SIR:—* * * * * I have dissolved the Assembly, and you will soon have publick what I said to them at that time. Your presence here would have been of great use, and will alwaies be, and I hope you will not for the future decline an attendance of so much advantage to the publick and to yourselfe as one of the component parts of it, and allwaies pleasing to, Sir,

Your affectionate friend & Servant,

LEWIS MORRIS.

TO HIS SON LEWIS MORRIS.

Kingsberry December 23^d 1742

LEWIS:—I had yours wth the account of the intended marriage of your daughter, which, as things are now circumstanced, seemes to be an advantageous match. And I hope will prove both to your satisfaction and theires, if his resolutions continue, wth may perhaps admit of debate, if the father & mother be not satisfied in y^e point of fortune. However, that I leave. As to £200, it is more than I can spare, if not more than needfull or perhaps consistent with your present circumstances, to give for what is call'd an outset; & if you suffer your selfe to be govern'd in that case, & provide all that silly women will think necessary, convenient, or honourable, it may be twice £200 will not serve the turne: but wth this I have nothing to do, you are the best Judge. Robin[†] tells me I am in your debt £72 or thereabouts for money advanc'd for me. I did not think I was in your debt, or that it would prove so when thoroughly examined into, but be that as it will I will spare you £100 on this occasion, for which I speak to James Graham to let you have when the wheat

its wanting the recommendation of the governor. Some disposition was subsequently shown to withdraw this recommendation in consequence of the copy sent not being transcribed from the original, but from the act as print-

ed, the original act having been lost, —but whether carried into effect is not known.

* From the Rutherford Collection.

† Robert Hunter Morris.

there is dispos'd of, & send me your receipt for £72 advanc'd or whatever it is. This will be better than giving bond to me or any body else, w^{ch} should in all cases (if possible) be avoided, as being a slow but fatall pest that not only destroys the persons it seises but too often descends to Posterity, & to be assured that you are free from the infection would be a great pleasure to

Your affectionate father, L. M.

TO SOME FRIEND IN PHILADELPHIA, PROBABLY JAMES LOGAN.

* * This letter was wrote y^e 14th Decemb^r 1742, but not transcrib'd & sent untill y^e second of y^e Jan^{ry} following, and I think is dated y^e 29th of Decemb^r 1742, at Kingsberry or Trenton.

MY VERY WORTHY & MUCH ESTEEM'D FRIEND :—I thank you for the favour of yours of the 29th of November past, and tho' the knowing that you are in the land of the living, whether it be from yourselfe or others, gives me much pleasure, yet that is much abated when I learne the circumstances that attend so valuable a life.

When I returned your governour's visit I fully purpos'd to see you at your own house, but upon enquiry found that M^r Pen did not intend to see me and was dissoblig'd at my putting some persons into office in the County of Glocester in this province; or, as the gentleman who inform'd me express'd it, miff'd on that account. This made it plain that whatever regards might be shewn to the govern^r of Jersie, M^r Morris was a person dissagreeable to the proprietor & his absence more desireable to him than his presence. This determin'd me to leave the place as soon as I could, and deny myselfe the satisfaction I had propos'd in spending some time with my old friends and acquaintance in those parts, & with you in particular.

The persons put into office I knew had greatly dissoblig'd M^r Pen, and therefore when recommended refus'd (on M^r Pen's score) to employ them; but M^r Rodman assur'd me that matter was all over, & that such submissions had been made by the offend^r to M^r Pen & others as induc'd them to pardon them, & upon y^t I employ'd them & should not otherwise have done it,—tho' (by the by) I take leave to say to you that had any in that government treated me in the same manner, & M^r Pen had thought fit to have y^m put into the magistracy, I should by no meanes have been dissoblig'd: because I should naturally believe y^t he would

allwayes make choice of such persons as he Judg'd were most fit for his purposes : but of this enough.

I have, I thank God, been bless'd with a pretty good share of health, but want more youth & vigour than at present falls to my lot to enable me to encounter those difficulties I expect to meet with,—Assemblys here as well as with you being for the most part made of the same materialls.

My poore wife, to whom I have been marry'd upwards of fifty one yeares, is grown very Infirme & I believe will be Incapable of accepting your kind offer, but we both recieve it wth a gratefull sence of the kind inclinations of the offerer : & as I have long intended so, I still do, to see you at your own house when I can with conveniency do it. * * * *

TO JOHN READING, &c.

Kingsbury Aprill 11th 1743

SIR :—The bearer of this is one of the gentlemen concern'd in the suit against the Collony of Connecticut, w^{ch} by his majestie's commission is appointed and directed to be determined upon hearing, by his majestie's Governours & Councils of New Jersie & New York. The nature of the thing requires that some determination should be upon that matter : and I need not tell you that his majestie's commission requires an obedience to be paid to it ; for I believe scarce any thing but want of health, or some publick business of the government will be deemed a sufficient excuse : the persons concern'd being willing (as they say) to secure the payment of expences that will arise upon y^r head.

I am &c L. M.

One copy of the above was sent to John Reading & another to Mr Smith & Rodman.

TO SAMUEL MASON.

Kingsbury June 2^d 1743

SIR :—I receiv'd yours dated at Byram May 4th last, upon w^{ch} I summoned our Councill and press'd their attendance on the Executing the King's Commission. Inclos'd is a copy of the minute of Councill. By what I can guesse, they do not think your Engagement a sufficient

security for paying of them (a guinea a day being allow'd to commissioners employ'd between the provinces of Pensylvania & Maryland, w^{ch} is but Just by; and Norwich in Connecticut say'd to be about 200 miles from hence) so that it seems necessary for you to get somebody in New York or Jersey of sufficient credit to engage for you. My son & Doctor Rodman are gone forward in order to engage in this affaire. I still continue Ill and have been confin'd to my chamber since you saw me, but am something better than I was. I shall be glad to heare of an effectuall decision of your affaire, & am &c

L. M.

To Samuell Mason Esqr. at Norwich in Connecticut, to be left at y^e Post office in New London.

TO THE LORDS OF TRADE.

Kingsbury June 10th 1743

MY LORDS:—I send by this conveyance the minutes of Councill your Lps desired; also the other minutes of Councill to the 24th or May last, and the minutes of the last Assembly, w^{ch} I did not get till about ten last night, tho' the secretary wrote to their clerk to transcribe y^m or get the printed coppies about three weeks since. I need make no other observations on them at present than what has been allready made and comes Inclosed. We have had a new choice by w^{ch} there are 10 or 11 new members, some of y^m better but none worse than they had before.

The conduct of the last is very much blamed, & many of themselves are much asham'd of it; but whether that of the present will be better is left to discover. They are gen^{ly} so fond of the example of the parliament of 1641 & that of their neighbours in Pensylvania & New England, that until some measures are taken in England to reduce them to propper limits I suspect they will not mend much. I have also sent your Lordships the answers to y^e queries you made, according to the best of my knowledge; the copy did not come till last night, and I have not had time to point it; & the distances mentioned between Cape May & this place &c, are guesse work & not to be rely'd on as certain. The minutes of Councill came about halfe an hour since. I have not compared them, not having time, the post now waiting.

I have been confin'd this two months to my bed & chair by an inflammation in my leg, w^{ch} I now keep lying on a chair; & time press-

ing, I venture to hope your Lordships will pardon any incorrectness that will appear in what is now sent by, my Lords, &c

L. M.

To the board of Trade.

THE LORDS OF TRADE TO GOVERNOR MORRIS.

Whitehall, June 30th 1743.

SIR:—Since our last Letter to you, dated the 3^d of August 1742 (a Duplicate whereof has likewise been sent) We have received two from you, one dated Dec^r the 15th 1742, and the other the 20th of the same Month, together with the publick papers transmitted therewith.

We approve of your Conduct in opposing the Assembly's assuming a Power that did not belong to them, as set forth in the first of these Letters; and think, you have acted in a manner becoming your Station, by shewing a proper Spirit upon the Occasion.

By rejecting the Bill for making forty Thousand Pounds in Paper Currency, altho it came attended with another to your Advantage, you have given a Proof of your Disinterestedness, and We doubt not but you will strictly observe the Promise you make us in the latter part of the said Letter, in not giving your Assent to any Bills of that kind, whatever the real or pretended Necessities of the Colony be, without a Clause suspending their being in Force 'till his Majesty shall be pleased to approve of them.

We shall be glad to hear, that the new Assembly, which you were upon the point of chusing, has answered your Expectations.

As to the Act mentioned in your other Letter, a Copy of which you have transmitted to us under the Seal of the Province, and which you recommend to us for the Royal Approbation, in consequence of a Memorial of the Council of the General Proprietors of the Eastern Division of New Jersey to you; We are of Opinion, that as it appears upon the face of the said Memorial, that several People have since the Date of the said Act, made Purchases of Land from the Indians, many of whom may possibly have done it *bonâ Fide* and thro Ignorance, and in consequence thereof may have laid out a considerable Share of their Substance thereon, it would be hard to divest them of their Property, by taking Advantage of an Act, that has lain Dormant so long.

We think it therefore more adviseable, that you procure a new Act to the same purpose to pass, in which a reasonable time may be allow'd,

to all those Persons that are subject to the Penalties of the Act, to come in and take out Licences or Confirmations of their Grants from the Proprietors, upon such terms as Licences have usually been granted; which will be a means of quieting the Colony in general, and putting an effectual stop to any Complaints from those concerned. So we bid you heartily farewell, and are

Your very loving Friends & humble Serv^{ts},

MONSON

W BLADEN

R PLUMER

B KEENE

JA: BRUDENELL

TO MRS. NORRIS.

Kingsbury Aug 26th 1743

MY DEARE CHILD:—My last to you was on June 7th, via New York, wth a bill of Exchange and copy of an Invoice, which I had sent in the Decemb^r before; w^{ch} I believe came into your hands, because about a week ago I reciev'd for M^r Saint the body of the chaes, [chaise?] & the things sent for except the trusses, all safe & in good order. The ship has been a long time expected, and her safety was doubted of * * * * * Your mother has been very well * * * * * and seemes likely to continue so, but the last spell of hot weather has been very troublesome to her, and has caused her to break out wth boyles, which, tho' wholsom, gives her great pain & uneasiness. Your brother Robin has been since the beginning of June mostly in Connecticut Collony, by virtue of a Commission from y^e King, Empowering the Governour & Councill of New York & Jersie, or any five of them, to determine a difference between the government of Connecticut & Mohegan Indians. I heare he is well, & that I may expect him every day. As for mysele, my sore leg is well. And I am in good health, tho' old, being nigh 72. I have not heard from you by any of these last ships, w^{ch} gave us all great uneasiness; and in such cases we allwaies suspect the worst. But M^r Saint in his letter wth the things, w^{ch} I did not recieve till about a week since, let us know that you had been unwell and was gone to Bath for your recovery, w^{ch} was attended with success, and he expected you in Towne in a little time, where you would stay some small time to write to your friends on this side of the water. This gave us much satisfaction, tho' his letter was of

an old date, viz the 13th of May last : so y^e we live in Expectation of soon hearing from you. But no ships sailing as yet from you, & Mr Clinton,* tho' long expected & not coming, it begins (not without reason) to be much doubted whether he will come at all : so that there is no hopes of having any letter from you till the arrivall of the fall ships, when I hope you will write fully, for allmost every thing you can write will be news here.

I would be glad to heare how Sr John & Lady do, & how Sir Charles Wager does, & how you still stand wth Sir John & Lady Norris & the girles your sisters. I was in such haste in Decembr that I gave you but a short account of my conduct wth the last Assembly. I have since that Printed some observes upon their votes ; those & my Speeches to y^m comes inclos'd, recommended to y^e care of Mr Saint, who I have directed to send to you wthout the charge of Postage ; & I would be glad to know if you can [tell me] how far what I have done is approved by my Superiors. They will find at least one of their Governⁿ Proof against a bribe. * * * * Your being much out of Towne, my giving you the trouble of purchasing such little Knacks as we want I am afraid is inconvenient to you. I have therefore wrote to Mr Saint to get a few bookes for me &c which please to pay him out of the money in your hands of mine. Make not my compliments, but the tender of my sincero regards, acceptable to Sr John & Lady Norris, your mother's and my blessing to M^r Pearse† & to yourselfe puts an end to this, from, my deare child,

Your affectionate father L. M.

To M^r Norris.

TO GOVERNOR SHIRLEY, OF MASSACHUSETTS.

Kingsbury New Jersie Sept 1st 1743

SIR:—This is intended to let you know that I have reciev'd your Excellency's of the 22^d of August by the Post. His returne is too soon to admit my answering your queries by him now, but I will endeavor to do it by the next time he goes, & shall be glad if any thing I shall or can say on y^e head of Paper Money may be of use to you. Our people here are fond of it because they want it ; w^{ch} is no bad reason for the making of it ; and I am of opinion that while gold and silver continue the best returne that can be made to England from the northern Collonies, there

* George Clinton, afterwards governor of New York.

† Another daughter, wife of Captain Vincent Pearse, R. N.

will allwaies be a necessity for a paper currency to use instead of Specie for a medium in trade, & w^{ch} will and must allwaies decrease in its value, while the mercantile part of mankind in y^e Plantations can with impunity put what value they think fit upon gold & silver coyns, & from time to time raise the value of them (in direct opposition to an act of Parliament) in order to make their returnes: so y^t on whatever funds the paper currency is rais'd, whether good or ill, seemes to be much out of the case. At first view it seemes to be a mistake that a paper currency is a hurt to y^e British Trade, for if there was no paper currency w^t silver & gold is now sent home must remain on this side of the water, & something else must be found instead of it, (w^{ch} it will not be an easie matter to do) that will answer the end so well as that of a paper currency will, if put out of the power of the trading men to depreciate. But that is difficult to do, and untill some severe Laws be made by a competent authority for y^e Purpose, & duly put in execution, will be hard to be done.

I hope this may find you & yours in good health & you successful among y^e saints you have to deale with. If I can any way contribute to it, I shall be pleas'd with an opportunity to shew you that I am,

Very much S^r, your Excellencie's &c

L. M.

To Govern^r Shirley of Boston

TO GOVERNOR SHIRLEY.

Kingsbury Sept 9th 1743

SIR:—In order to give you what satisfaction I could wth relation to y^e queries you made, I endeavoured to procure the act by w^{ch} our paper currency is made; but not being able to get one not bound up, I send you Inclos'd one made in y^e 4th of his present majestie's reigne, for raising £20,000, w^{ch} is still in force & differs little from the present act for y^e making of £40,000 in paper currency but in y^e sum. The paragraphs mark'd (X) at y^e beginning are Verbatim the same, & where not exactly so I have noted in y^e margin the difference. Those not mark'd (w^{ch} are but a few) differ not in substance & are to y^e same effect.

This I Judg'd the most satisfactory answer I could make to y^e first part of your Queries, as Shewing on what bottom our paper currency is founded; viz: the credit of the Borrowers: & if they should faile, or happen to have no right in y^e Lands mortgaged, in such case the deficiency is to be made good by publick tax in y^e County where the

deficiency happens. I do not remember that any deficiency has as yet been discovered; nor has there been any tax for these severall yeares but those made in the Counties & Townes for their particul^r County charges, as building or repairing goales & bridges & for support of the poor &c. Some Estates mortgaged have been sold, but not many: the purchasers concieve they are safe in y^e purchase: and it has never yet been queried whether the loan officers (made a corporation by y^e act) be a perpetuall or temporary corporation: or, if Perpetuall, how such a thing could be for a temporary purpose? or, if temporary, how they could be seis'd of an Estate in fee simple to a perpetuall purpose? viz to vest it by sale in the vendee? or, if as a trust, whether for the use of the publick or the mortgagee who had not the fee? or for the use of the mortgageor in whom the fee was? These and many questions of this kind that depend upon a knowledge of the nature of corporations, mortgages, trusts, uses, were never made by our money-makers or the purchasers of mortgaged estates; nor, as things are circumstanc'd, is it perhaps fit they should.

As to y^e 2^d part of your Queries, there is little gold & silver comes to this Province. Some of the farmers contiguous to New York or Pensilvania may sometimes (but very seldom) be paid in gold or silver for wheat; & when they are, they generally hoard it up, as many of them do our paper Currency, in order to make purchases of land when to be made. So that it may be said that gold & silver, tho current, is not Commonly or Generally so; the recieving of paper, better answering the generall needs of the people, is preferr'd to silver & gold.

Our paper bills being to be destroy'd at certain stated times every yeare; & the Interest for w^{ch} they are let being to be paid in that specie, makes it necessary for the borrowers to have them at these times; & if they have them not nigh the time must give an extraordinary price for them to those that have.

The Mercantile folks in York & Pensilvania, & those that keep money in Jersie, have found their account in this. One effect has been y^t, those in York & Pensilvania Choose to be paid for wheat they sell rather in Jersey Currency than their own:—a second, that y^e Jersey people rather choose their own currency than that of their neighbours; and as New York & Pensilvania cannot well manage their trade without the help of Jersie, so they must have, in many cases, Jersie Currency to its nominall vallue wth respect to y^t of York it being now between £12 and £13 p^r cent better than that, & likely to rise higher. But with respect to gold & silver its reall vallue is much short of its nominall vallue, & probably allwaies will be so while it is in the power of merchants to put what vallue they think proper upon gold & silver. In a Pensilvania Gazette

of Sept 16th 1742, the merchants of Philadelphia to y^e number of 75, publish at what rates they will take gold & silver; and after mentioning prices they will take gold at, (w^{ch} not being fix'd by Act of Parliament they may perhaps have the libertie of doing) they set the vallue of French crownes & Spanish mill'd pieces of eight at 7 Shill. & 6 pence; and all good coyned Spanish silver at 8 sh. & 6 pence the ounce; & say we do further promise & declare that we will not directly or indirectly allow any more for gold & silver than at the rates herein mentioned, nor will we ask demand or receive any more from any persons whatever for any sums we pay, recieve or exchange of the above specified gold & silver Coyne: and we consent to have this agreement to be in force for three yeares from the date hereof; and to be published in the newspapers. Tho' I believe by the merchants' private agreement amongst themselves they have allwaies done the same thing since y^e Existence of a paper currency, yet I do not rememb^r so publick an instance of defying an act of parliament. One might, pursuant to y^e Law, say what the Consequences should be of such a procedure, did those at the helme notice what is done on this side of the Great water as much as they might: but what they will be I know not: nor do I believe they (the merchants) much care. However, this I think shews what is the true cause of y^e depreciating y^e paper currency, at least wth us: and that there is no certainty to what extent it will be depreciated. They have there promis'd to take it at the rate set for three yeares: but when that expires they may againe raise y^e vallue of silver and consequently depreciate farther that of paper; or if they do not, the merchants of New York or some other Collony may, when they think fit, either before or after y^e three yeares mentioned, set the vallue on silver &c for the same reason it was done at Pensilvania, viz to draw the money of the neighbouring Collonies to themselves, w^{ch} is what the Act of Parl: seemed to provide against, but how effectually these merchants have shewn.

The Governours consenting to an Emission of paper Currency has at y^e time of doing of it wth us been allwaies Esteem'd a favour, & the summs given to them to induce them to it has been the sole motive that prevail'd on them to consent to it. The pretence made use of to Collour it over, was to enable the People the better to support the Government; & a clause is incerted in y^e Act, y^t y^e money arising by the interest shall be paid into the Treasury to be dispos'd of for the support of the Government in such sort &c as by y^e Govern^r, Council and Assembly shall be directed.

An indifferent man y^t reads this Clause in y^e Act would (as I take it) from the force of the words conclude that the Governour and Council

had each of them as great a right to direct in y^e Disposall of that money as the Assembly had; but notwithstanding the plain words of the Act, tho the money be rais'd and in the treasury, & the disposition of what quantum shall be for the support of the Government is to be agreed on by the whole, yet y^e Assembly say that any act for the disposall of money even allready rais'd for that purpose is a money bill: w^{ch} not only ought to take its rise in their house, but that the Councill ought not to vote or direct it at all, or the Governour either, and y^e if y^e govern^r & officers of the Government will not submit to their directions the Government shall be without support.

This Conduct I should think would have such an influence upon Governours as not to pass any bill for a paper Currency, (of w^{ch} the people are very fond,) without a sufficient and indisputable security for a support for the Government; and that (if possible) in such a manner as not to be hurt by any of the arts or crafts made use of to depreciate y^e paper Currency.

The behaviour of Assemblies in this part of the world has induc'd some men to think that they aim at little less than grasping at the whole authority of the Government; & the having or pretending to have the sole power of appointing the sallaries of y^e Governour and officers, may by that meanes render them subservient to their purposes: & therefore say it is the interest of the Crowne & the British nation that Governours &c in y^e point should be rendred independant of Assemblies. That as the people are and will be under a necessity of having a paper Currency; so it will be equall to the borrowers whether the King dispose of the Interest arising from it in such manner as he thinks fit; that the King, if he thinks it proper to use the aid of a British Parliament, may call in all the Present currencyes, & in lieu of them Issue others for the support of his Governments, & become the lender as now the loan officers are: That the securities may be the same as now & consequently the fund on w^{ch} it is rais'd, viz the estates of the borrowers, as certain as now; that the benefit arising to the Inhabitants by a paper currency will be equall & the credit rather superiour; that the Counties or provinces being only to pay in case of a bad title in the borrower, if proper care be taken, there will be but little Hazard & the Instances but very few if any; that the people being naturally oblig'd to support the Government, these deficiencies, if they happen, should they prove equall to a tax for the support of the Government the people will have no reason to complaine; that by this method no more bills will be made than what is necessary, & lastly that this method will prevent that eternall Jangle between Governours & Assemblies upon that head; fix their support at

such a certainty as the King will Judge fit; prevent Governours from making those meane condescensions they are sometimes forc'd to do for bread; & keep Assemblies within their propper limits, & by that meanes open a door for that concord between them so necessary for the publick well-being.

I owne I have but a poor hand at scheming, and so can say but little to this; the difficulties Govern^r labour under, & the tenacious humour of Assemblies (to call it by no worse name) are obvious enough; if our superiours had time to think on us, & would do it, I doubt not things would be on a better footing, & there I leave it.

I have given you the best answer to your queries that I can, and shall be glad if what I have said on y^r head proves satisfactory.

I am &c,

L. M.

To his Excellency W^m Shirly, Govern^r of his Majestie's Province of Massachusetts bay &c &c &c at Boston.

TO GOVERNOR CLINTON, OF NEW YORK.

Kingsbury Sept 29 1743

SIR:—It was with much pleasure I heard by the Post of your safe arrivall at New York. I own y^t I began to doubt of your Coming at all, and pleas'd mysef wth thinking that something better than the Government of that Province had been given w^{ch} detain'd you. I heartily congratulate wth you in your possession of it, & no body can be better pleas'd at your success & Prosperity in that or any other station than, Sir, your Excellency's hearty well wisher & Most Obedient humble servant,

L. M.

To his Excellency George Clinton Esqr &c, Governour of New York.

THE LORDS OF THE ADMIRALTY TO THE LORDS JUSTICES.*

MAY IT PLEASE YOUR EXCELLENCIES:—The Difficulty of keeping His Majesty's Ships of War, that are employed in America, sufficiently manned to perform the Services they are sent on, is in itself great from the unavoidable Causes of Death and Desertion, the latter of which is

* Transmitted in a Dispatch (in the "Morris Papers,") No. 32, from the Lords Justices, dated October 1st, 1743.

grown Familiar among the seamen, either for the sake of high Wages given by the Merchants, or from their own natural Levity ; But the Obstructions given by the People of those Colonies to the usual Methods of Pressing made use of by the Captains of His Majesty's ships to recruit their Complements, have been of late so violent, and carried on with such Instances of Contempt of Government, and such personal ill treatment of the Captains, that We think it incumbent on Us humbly to lay before your Excellencies (in the annexed Paper) Copies of the Complaints We have received from the said Captains on that head, within little more than the space of a Year past, whereby your Excellencies will perceive, that some of said Captains have been mobbed, others Imprisoned & afterwards held to Bail, and are now under Prosecutions—carried on by Combination, & by joint Subscription towards the Expence.

The Chief Reason that We can find for such Opposition, is, a belief prevailing among the People there, that the American Act made in the War of Queen Anne, which forbid Pressing in America, is still in Force.

We have sent to the respective Governors and Judges of Vice Admiralty in all the Colonies the Opinion of S^r Edward Northey, and of the present Attorney General, and of S^r John Strange, all agreeing, that the said American Act expired with the War in which it was made, Copies of which Opinions, and of the Letters accompanying the same to the Governors and Judges of the Vice Admiralty, are annexed.

In the Press Warrants which We give to the Captains of His Majesty's ships in America, they are strictly required not to distress either the Merchant ships or the Privateers, Copy of which Warrant is annexed. And the Captains inform Us, that it is their usual way to take only one Man out of five or six, and if they have any Spanish Prisoners, they allow them one for each Englishman so prest, to assist in navigating the Merchant ship home to England.

The Governors of the Colonies appear indeed to shew a Disposition to help the Captains of His Majesty's ships to get men, when they apply to them ; but whether that Disposition be real, or that they want authority, the Captains find little or no help from them to procure Seamen nor even to protect them from the Rage & Insults of the People.

The Consideration therefore of the many ill Consequences that may attend His Majesty's Service, if the Captains of the Men of War are liable to be thrown into Jail abroad in the Plantations, by any disaffected Persons, at a time perhaps that they are going on some Expedition or Service of Importance against the Enemy, and always while they are in the Execution of their Orders to protect the Colonies, and their Trade ; That such Ignominious Usage exposes their Commission to Contempt, and

makes them less able to maintain their Command on board His Majesty's ships with Honour and Discipline, and also that while the Opinion remains of the American Act being in force, it will be impossible for His Majesty's ships to recruit the Deficiency of their Complements, are Our Reasons for humbly laying this Matter before Your Excellencies. To whom it is humbly submitted.

WINCHILSEA
JO. COKBOORNE
BALTIMORE
GEO. LEE

Admiralty Office, 26th Septem^r, 1743.

COPY OF A LETTER FROM M^r CORBETT* TO THE SEVERAL GOVERNORS OF HIS MAJESTY'S COLONIES IN AMERICA,

Dated the 19th August, 1743.

My Lords Commissioners of the Admiralty having had frequent Complaints made to them by the Commanders of his Majesty's Ships and Vessels in America, that they are often interrupted in their endeavours to procure Seamen to make up their Complements in order the better to enable them to execute their Lordships' Instructions for protecting the Trade of the Colonies they attend on, and annoying the Enemy; and it appearing to their Lordships that the obstructions the Captains meet with from the Inhabitants in America and Masters of Merchant Ships trading there, is chiefly grounded upon an Opinion prevailing among them, that the American Act made in the Reign of Queen Ann, prohibiting the pressing in America, is still in Force; I am commanded by their Lordships to send you the inclosed Opinions of Sir Edward Northey; His late Majesty's Attorney General, and of Sir Dudley Ryder Attorney, and Sir John Strange Solicitor General, by which you will plainly see, that the American Act, on which the Inhabitants and Masters of Merchant Ships lay so much stress, expired at the end of the late French War.

Their Lordships hope that when these Opinions come to be better known in the Colonies, and that the People there are sensible that his

* Secretary to the Board of Admiralty.

Majesty's Ships want Men for no other use than to protect their Trade and Settlements, and guard them from their Enemies, there will not be any more such Disputes raised, and obstructions given to the necessary Work of Manning them; And their Lordships recommend it to you to settle Men's minds on this point, as you see occasion, and to give all necessary Assistance to His Majesty's Officers to procure Men, when they apply to you for that purpose.

EXTRACTS OF LETTERS FROM COMMANDERS OF HIS MAJESTY'S
SHIPS STATIONED AT THE COLONIES IN AMERICA, REPRESENTING THE DIFFICULTIES THEY LYE UNDER IN PROCURING SEAMEN TO KEEP UP THEIR COMPLEMENTS.

Capt. Scott of the Astrea Storeship, dated at New England the 26th of June 1741.

I am now ready to proceed to Jamaica with a Loading of Masts for the Fleet there; and should have sailed sooner but was delayed for want of Men, between 40 and 50 having deserted by the Enticements of the people at Boston, and the large Wages given by the Merchants; and tho' I made several Remonstrances to the Governor, in order to procure Men, it proved ineffectual, for I had no Relief from him, so that I was obliged to lye in Nantasket Road, till I had pressed a sufficient Number of Men from Merchant Ships to enable me to proceed with the Ship to Jamaica.

Capt. Hardy of the Rye, dated at South Carolina, the 26th of April 1742-3.

I should have been ready to have sailed sooner, had I not met with great Difficulty in getting Men to compleat my Complement. I was pursuing the usual Methods of pressing out of Merchant Ships, with as much caution as possible not to injure the homeward bound Trade, when a Merchant of this place took the Advantage of an Act of Parliament made in Queen Ann's time, that lays a Fine of £20 sterling, and Cost of Suit, if an Action is brought against any Officer who shall impress any Seaman out of a Privateer, or any trading Ship on the Coast of America, which Proceedings discouraged me from pressing any more.

*Capt. Hardy of the Rye, dated at South Carolina, the 3d of
January 1742-3.*

The Spy Sloop being otherwise ready to Sail on a Cruize, for protecting the Trade, but wanting Thirty Seamen of her Complement, I apply'd to the Lieutenant Governor for his Assistance in procuring them, who issued his Warrants for that purpose: but they were attended with no Effect, because the Governor's Warrants have always this Restriction, that the Constables or Captains of the Watch, who execute them, are not to take up any Seamen belonging to any Merchant Ships in the port.

The spirit of prosecuting on the Statute of the 6th of Queen Ann, reigns here more than ever; insomuch that I am informed the Merchants have entered into a subscription to prosecute Captain Hamar, on his Return from his Cruize, for every Man he impressed; and they declare it is their Intention, to prosecute every Captain of a Man of War, who shall impress any Seamen out of their Ships.

*Capt. Hamar of the Flamborough, dated at Carolina, the 18th of
December 1742.*

I should have been ready to Sail on a Cruize three Weeks ago, but that I wanted Seamen, whom I was obliged to get by pressing out of Merchant Ships as they came in, as I could get no Assistance from the Government here; but on the contrary I am informed, that several Masters of Merchant Ships and others are collecting together a Sum of money in order to prosecute me, and all the Captains of His Majesty's Ships on this Station, for impressing their Seamen.

*Capt. Hamar of the Flamborough, dated at Carolina, the 1st of
March 1742-3.*

I am in want of Men, which I apprehend will be with very great Difficulty got here, as the trading people seem resolved to put the Law in Execution against impressing of Seamen; and We have found by Experience, that the Lieutenant Governor is but little able to furnish Us with Seamen.

Capt. Bladwell, of the Swift Sloop, dated at Carolina the 1st of July 1743.

Great Inconveniences and Hardships attend Us all, in getting Men to do the Duty We are sent upon. Since I have been in this Port, I have prest Twelve Men, taking one out of Six, which is very easy, and not hurting the Trade; of whom I have been obliged to return Seven, or should have been sued by the Lawyers; and I am now Eleven Men short of Complement; Capt. Hardy is now under Arrest, and has given in Bail. I hope their Lordships will take this matter into Consideration, or I believe His Majesty's Ships here will be obliged to lye in Harbour, instead of guarding the Coast from Our Enemies.

Capt Ellis of the Gosport, dated at New York, the 9th of June 1742.

I apply'd to the Governor, acquainting him with the Desertion of Our men, being above 100 short of Complement, and desired an Order of Council might be made to take up every Seaman that had not a Pass: he mentioned it to the Council, but they did nothing in it. I am inform'd by the Governor, there is an Act of Parliament at the first settling these Colonies, that no Man shall be press'd here, on the Penalty of Twenty Pounds, & is not repealed.

Capt Ellis of the Gosport, dated at New York the 3^d of September 1742.

On the 23d of July, I acquainted the Governor, that the only Obstacle to Our proceeding to Sea, to protect the Province from the Enemy, was the want of hands, and desired his Assistance; he accordingly issued Warrants for taking up Idlers, & such Seamen as did not belong to any Merchant Vessel: This proving ineffectual, and receiving an Order to repair immediately to the Relief of Georgia, I communicated the same to the Lieu^t Governor, who called a Council thereupon, and pursuant to their Advice, I advertized for Volunteers, promising to discharge them at my Return from the Expedition: But this also had no Effect; upon which, I again apply'd to the Lieu^t Governor, and desired an Embargo might be laid upon Merch^t Ships, till His Majesty's Ship was mann'd; he inform'd me, by Letter, "That he had communicated my Request to the Council, "who were unanimous against an Embargo;" and added, "I hope some "effectual Method will be taken to man the Station Ships, for the exorbi-

"tant Wages the Merchants give, will unavoidably occasion great Desertions." Upon this, I represented, that I must be obliged to make use of the only Method Left to man the King's Ship, by pressing Seamen out of all Merchant Ships that attempted to pass by me; for which the Merchants threatened to Sue me, and the mob to take away my life.

Capt Gordon of the Hound Sloop, dated at Virginia the 9th of June 1743.

The greatest Grievance to His Majestie's Officers is just started up here, which if not duly attended to, may be of very bad Consequence to the Service in general. Several Traders have entered into a Combination to prosecute every Captain who shall press a Seaman in Virginia, tho' it be even a Deserter from his own Ship; and in consequence of this, Cap^t Dandridge of the Southseacastle, and myself, are under prosecutions: Cap^t Dandridge, for taking one of his own Deserters from a Vessel; and myself, for taking men from an outward bound Ship, when it is notorious, that I have never taken a Man out of any outward bound Vessel, since my being on the Station, and very few from the Homeward; as will appear, if ever there shall be a Tryal.

Capt Lisle of the Scarborough, dated at Barbadoes the 11th of December 1742.

No Ships having arrived here since my coming in, has hinder'd my compleating my Complement of Men; and West India Governors are so tenacious of what they call their prerogative, that it's difficult to raise any from the Shore. The Tenets they hold here, are of full as ill Consequence to Trade as to His Majesty's Service.

Capt Knowles of the Suffolk, dated the 21st September 1743.

The Squadron, lately under my Command, being at Antegoa refitting, after the Attempts made upon La Guira and Porto Cavallos, and being greatly weaken'd and reduced by the Actions at those places, and a Privateer coming into the Harbour on the 3^d of June, Cap^t Gage of the Lively sent his Lieutenant and Boats to press her Men; but the Privateer's People arming themselves, confined the Lieutenant and Boat's Crew, fired at the other, and then ran away with the Boat; and at the same time a Merchant Ship coming out of the Harbour, the Privateer fired at her, and

obliged here to send Boats to assist them in making their Escape: Soon after, I procured Rouse, a Lieutenant of the Privateer, and Chief Ring-leader in the Affair, to be secured, in order to prosecute him to the Rigor of the Law, to prevent others from making the like Resistance to the King's Ships; but several People of the Island, who hired the Privateer, applying to Gov^r Mathew, and a great Mob being raised, who were joined by several of the Privateer's people Armed, Mr Mathew thought fit to release Rouse, and the next day myself and Cap^t Gage were arrested and carried to Goal, where We remained two days & a Night, till We gave Bail in Twelve Thousand pounds each. A few days after, a Habeas Corpus was procured for the Releasement of several of the Privateer's Men, who some of the people that hired the privateer, understood were still on board the Suffolk or Lively; and myself and Cap^t Gage were threatened to be arrested in another Action, if we refused to comply with it: Whereupon I apply'd to Gov^r Mathew, to interpose his Authority, which he attempting to do, they clamour'd loudly against him, and advised him not to concern himself in the affair, urging it was a matter of Common Law, and what he had no business with.

A short time after, Cap^t Smith, Commander of the Pembroke's prize, impressed some men at St Christopher's; upon which the Privateer's Crew joined with People in an armed manner, came off in the Road, seized the King's Boat, hauled her on Shore and threatened to burn her, if the Captain would not return the prest Men; which he was obliged to do, to save his Boat, and people's Lives; and after they were released, the Captain was sued in an Action of £500.

TO GOVERNOR CLINTON.

Perth Amboy Oct 22^d 1743

SIR:—My son Robert in his passage to New England will do himself the honor to wait on you to express his Joy to find you safe in New York. where we both hope your continuance in your present station may be as long as you desire it should be, & y^e during your stay you & your family enjoy an uninterrupted state of Health. His business at this time is to go to Norwich in New England, to which place the Court of y^e Commissioners for hearing the cause between the Collony of Connecticut and the Mohegan Indians is adjourned. Rodman, one of the Council for this Province, who attended at the hearing of that cause, lyes (as I am informed) sick at Burlington, about 50 miles distant from this place.

Smith, another of them, is aged, and Infirme, and unable to attend it, and is now ill at Burlington. Allexander, another of them, is Lay'd up here with the gout; so that I have but three Council^{rs} with me, w^{ch} are barely the least quorum I am empowered to act with on any occasion but to enact laws, w^{ch} requires all the Council to be present while our Assembly are sitting. So that unless you can prevaile upon foure of your Council of New York to attend that service, there will not be a sufficient number to hold that court according to their adjournment.

I herewith send you coppies of the representations of the Proprietors of this Province concerning the running of the division line betwixt this Province & New York, & of a petition of some of the Inhabitants dwelling nigh where the said line is suppos'd will run, complaining of abuses by some of the Inhabitants of New York. It is necessary that these limits should be run as soon as may be; and untill y^e can be done, some measures should be taken to discourage the proceedings complained of, w^{ch} unless done will probably be attended wth consequences dangerous to the publick peace in those parts; & this I very much hope that your Excellency, by your orders to the Inhabitants of that part of the Province of New York under your government, will endeavour to prevent: w^{ch} is all I shall at present say upon that head. My son will allso wait on you wth the examinations of one Stephens & others concerning the counterfeiting the bills of credit made current in New York: w^{ch}, tho' capital there, is not so here; but punnishable as a misdemeanour. Stevens the counterfeiter is here in goale, & shall be delivered to your order if you send for him; but if you cannot find evidence to convict him capitally (w^{ch} you shall have all the assistance we can give here, if any such can be discovered in this Province,) please to send him safely back, that he may be proceeded against here for a misdemeanour.

I am &c.

L. M.

Perth Amboy Decem^r 13th 1743. Wrote to M^r Norris * * * * * to send the following bookes, guilt & Letter'd on the back, viz

Lestranges Josephus, Hudsons Josephus, the Late Lord Raymonds Reports, Bacons abridgment of the Law, Rapins history of England with Tindals Notes, the best edition.—A dozⁿ of water plates of good pewter—Wrote to her y^e 5th March and added Whistons Josephus & Du Halds history of China.

The new Assembly met at Perth Amboy, October 10th, 1743. The following are the names of the members returned:

- For *Perth Amboy*—Andrew Johnston, Samuel Leonard.*
“ *Middlesex county*—Thomas Farmar, Samuel Nevill.*
“ *Monmouth county*—John Eaton, Robert Lawrence.*
“ *Essex county*—Joseph Bonnel,* George Vreeland.*
“ *Somerset county*—John Van Middleswart, Derrick Van Veghten.*
“ *Bergen county*—Lawrence Van Buskirk, David Demarest.
“ *Burlington*—Richard Smith, Isaac Pearson.
“ *Burlington county*—William Cook, Thomas Shinn.
“ *Gloucester county*—Joseph Cooper, John Mickle.
“ *Salem county*—William Hancock, Leonard Gibbon.*
“ *Cape May county*—Aaron Leaming, John Willets.*
“ *Hunterdon county*—William Mott,* Daniel Doughty.*†

Andrew Johnston was elected speaker.

The governor in his opening speech very briefly alluded to the promise, made in the application for a separate governor, of willingness and ability on the part of the province to support him, and then came at once to the stumbling-block in the way of his agreement with the previous Assemblies. “For my part,” said he, “I shall willingly give my assent to any laws in my power to do, that shall be beneficial to the public. The most likely way to make such, and prevent mistakes of any kind as much as may be, is to promote and encourage a free, open, and friendly correspondence and intercourse between all parties concerned in the making of laws, and to discourage every thing that in the least tends to create any difference or diffidence between them.”

* New members.

† In place of Andrew Smith, whose election was set aside.

To this the Assembly very cordially assented in their address, but they took the liberty of reminding the governor that, "after a great deal of time spent and pains taken, at a large expense to the public, by former Councils and Assemblies, to form and adjust bills which they conceived for the benefit and well-being of the inhabitants of this province, and no ways interfering with the prerogative of the crown, that many of them" had been rejected by him—and that such poor success had very much discouraged them from attempting any thing of the kind;* but his assurance that he would willingly give his assent to "any laws in his power to do" that should be beneficial to the public, induced them to proceed to prepare such to lay before him; and they added, very significantly, that his approving them when such bills were prepared

* That they had cause for these remarks, will be apparent from the following list of some of the acts particularly desired, passed at different sessions, and either not acted on by the Council or vetoed by the governor; besides the favorite measure of creating bills of credit.

"To lay a duty on negroes imported;" passed the Assembly in 1738, but not acted on in the Council.

"For the more frequent meeting and electing of representatives;" passed both Houses in 1738, but not approved.

"For the relief of the poor;" passed the Assembly in 1738, 17 to 4, but was not acted on in the Council.

"For regulating roads, &c.;" passed the Assembly in 1738, 15 to 6, but did not pass Council.

Such was the fate also of the acts for "settling the militia;"—for "declaring how the estate of a feme covert could be conveyed"—and "oblig-

ing sheriffs to give security;" all of which were amended in the Assembly, and in consequence failed in the Council. The act respecting sheriffs was passed by the Assembly in 1740, 19 to 2, but was disagreed to by the Council, and again lost; in 1741 passed both Houses, but was not approved; and in 1742 again passed the Assembly. That relating to the estate of a feme covert, after passing both Houses, was negatived by the Governor in 1740; was again passed in 1741 and 1742, but was not approved.

Acts "for the more speedy recovery of small debts"—"for septennial elections"—"for preventing actions under £15 being brought into the Supreme Court"—"to extend an act for the recovery of debts"—"subjecting real estates to the payment of debts"—had been favorably acted upon at different times, but without becoming laws.

and laid before him, *previous to their passing a bill for the support of government*, would demonstrate his good inclinations.

This did not escape the observation of the governor, and he assured them that the dependence of a support upon the approval or disapproval of bills would have no influence upon him whatever—"that the one ought not to be given in exchange for, or to purchase the other."

In accordance with these views, he gave his assent to several bills; but the session was not allowed to close harmoniously. The following despatch details the circumstances which preceded the prorogation of the Assembly, on the 10th December.

TO THE LORDS OF TRADE.

Kingsbury March 3^d 1743-4

MY LORDS:—I have reciev'd the Hon^r of your Lps of June y^e 30th 1743, and am glad to find by it that my conduct was approv'd by your Lps. Our new Assembly, tho' I think much altered for the better, yet the majority of them consists of Persons too much dispos'd to give all the opposition they can, and to engross all the power of the Government into their own hands. They came determined (if I am rightly inform'd, as I believe I am) not to support the Government unless I would comply with all their measures, and in their address to me in answer to what I recommended to them on my meeting them, they did in a manner, in their way, tell me so.

I send herewith their votes & the speeches &c., to which I beg leave to refer your Lps. The Assembly had much at heart an act to make £40,000 in paper currency, and had made a preamble to it for building a house for the Govern^r and a place to keep the records & other fine things; but not one word for any such purpose in the body of the bill. It happened that two Quakers of the Councill did not attend; otherwise it is suppos'd it would have pass'd the Councill; and then the blame of rejecting it would have fallen on me. But Lyell, one of the Councill

being dead, I with difficulty prevail'd on Edward Antill, who is my son-in-law, to be a member of that board; who, with my own son & the secretary, as the Council then stood, made a majority and threw it out, as your Lps will see by the votes, but I expect the Assembly will make another attempt at the next meeting. They were also very fond of a fee bill, & feme covert bill, but could not get them thro' the Council without a clause suspending their force till his majestie's pleasure should be known concerning them. Both of these had been formerly rejected by the King; which would have been reason sufficient for rejecting them now: But the support of the Government still depending, & knowing how desirous the Assembly were of making any pretence to differ, the Council chose rather to pass them w'th a suspending clause, than to reject them at that time.

Tho' the fee bill is far from being a perfect list of fees that will be reasonable to be paid for many services not mention'd there, that will be necessary to be done, and for w'ch the Courts are the properest Judges what is a suitable reward, yet the Assembly here, who are every one of them strangers to things of that kind, do think themselves the only proper persons to direct in that case; and as their constant endeavours have been to lessen the authority and practice of the Supream Court, as much as they can by giving small and inconsiderable sallaries to the Judges, w'ch makes those places rather a burthen than advantage to them: yet, bad as the circumstances of that court is, it is, not without reason, fear'd it will be much worse should the bill now sent obtain the Royall assent, which will render that court greatly depending on the populace, and on that branch of the legislature made so by their choice; & how fit that is to be, is submitted to your Lps Judgment.*

It is needless for me to say much to your Lordships on this head, who are so well acquainted with things of this nature. This bill, tho' pass'd

* The Supreme Court was very unpopular; and formal complaint was made to the Assembly at this session by a Committee on Grievances, that, in consequence of the presence of one of the judges as a member of the House (Samuel Nevill) and of the chief justice being a member of the Council, no term of the court had been held in Monmouth county; and the House, by a unanimous vote, declared "the not holding the said court a great grievance to the country." The gov-

ernor endeavored to exculpate the two judges by throwing the responsibility of failure to hold the court upon the third judge (Allen), who was not a member of either branch of the legislature, but whom the Assembly did not deem proper to censure. It was said that a man accused of a murder, who had already been a long while confined, would be subjected to another year's imprisonment before his trial could come on, in consequence of this remissness of the judges.

in the manner it was, for the reasons above, yet the Assembly took upon themselves to order it to be printed as a rule for the government of the people antecedent to its having the Royall assent: as your Lps will see by their votes of y^e 5th Decembr, and what I said to them on y^e occasion and on their prorogation. But notwithstanding what I said to them they would have printed the act; and as I am told, some of them, (I suppose by order of the house) went to the King's printer to get it printed; But he having an order from me not to print it, Refus'd to do it; and least they should get a copy of it from the clerk of their house, I forbade him to give any copy of it; so that as yet I cannot learne that it is printed. I do not see the use of a suspending clause in any act, if the Assembly can say it shall be a rule for the government of the people before his Majestie had assented to it, and order it to be printed accordingly.

If an act pass'd by the three branches of the legislature here, be a sufficient reason for its being in force, (for that is the reason the Assembly gave for their order,) notwithstanding a clause suspending its force untill his Majestie's pleasure is knowne; then notwithstanding such clause it will be in force untill his Majestie signifie his dissent; & this by the authority or pretended authority of one of the Branches of the Legislature only, against the express words of the act itselfe, made by themselves & the two other branches of the Legislature.

What was attempted in this case may perhaps be carried greater lengths with respect to an act making a paper currency, if such should pass, and notwithstanding a suspending clause, the Assembly as in this case may order it to be printed; & secure themselves a copy and get it printed; & the number of bills & signed: this, however Improbable and Impracticable It seems to be, yet what they have done and would have done, makes it difficult to say with certainty what is Improbable or Impracticable here, when the Assembly are inclined to stretch their power. Sometime since an act was pass'd Limmiting the Supream Court, by which no action under 15 pounds was made tryable there: as this was thought to abridge the Chief Justice's perquisites (as it really doth, and the Secretarie's too, who is y^e clerk of that court) the Assembly added £50 a yeare to the Chief Justice's sallary as a consideration instead of the perquisites suppos'd to be abated by that act. This act was temporary and was sent to your Lordships. As it will soon expire, I believe (if not rejected by his majestie,) it will next sessions of Assembly be attempted to be renewed and made perpetuall: The Secretary complains much of it as an act very Prejudiciall to his office; as it is to that of the Chief Justice, and a lessening the Jurisdiction of the Supream Court.

In the act for the support of the Government, the Assembly, for

reasons to themselves best knowne,* took £100 from the Chief Justice's salary. I wrote to them on that head, and it comes inclos'd, to w'ch I refer: the conduct of the Assembly in that and other cases is humbly submitted to your Lps consideration.

Your Lps will see by the votes that I lay'd before the Assembly a letter from y^e Lords of the Regency concerning the putting this Province into a posture of defence: w'ch upon reading they referr'd to farther consideration: But they neither did or intended to consider any thing about it; nor do I expect y^e any thing of that kind will be done while any Quaker is in the Assembly; who, tho' an Industrious and thriving People, yet as things are now circumstanced, are not so fit for members of the Legislature as men of other Principles:—but this is humbly submitted.

In page 69 of their votes they order, in the distribution of their Printed Votes, foure setts to be given to the Governour: but when I came to make up two setts, one for your Lps and another for the secretary of state, I found they had not sent me one compleat sett. And the Vessell I Intend this by (if the Express I send can reach her) having not been as usuall publish'd in the newspapers, my knowledge of her going came so late that I had not time to send to their printer (who dwells 30 miles from this place) for compleat setts: so that the secretary with difficulty, by borrowing, made up two setts; w'ch is the reason the last part of those sent to your Lps is so dirty. And as they had omitted to print my last speech to them, I thought it might be of use to print it with the letter, which also is Inclos'd & humbly submitted to your Lps Judgment.

by &c, LEWIS MORRIS.

To the Lords of Trade.

TO RICHARD PARTRIDGE, COLONIAL AGENT IN LONDON.

Kingsbury, nigh Trenton, May 19th 1744

MY FRIEND PARTRIDGE:—I reciev'd one from you of the 17th of March last, 4 days since, & another of the 16th by way of New York a little afterwards, w'ch was recommended to the care of Ed. & J. Burling, with the newspapers Inclos'd in them. I have also reciev'd severall others from you with news, for all w'ch I return you my thanks: & tho'

* In a letter to the Duke of Newcastle of the same date (which, being of a similar tenor, is not printed), he says that "it is guessed" to be owing

to the chief justice's opposition to the £40,000 paper bill when before the Council.

I have not been, or should not be so punctuall in acknowledging the receipt of them,—I not allwaies knowing timely enough the Opportunities of doing so,—I hope that will not discourage you from letting me know as often as you can how things go on your busy side of the world. By the last news a French war seemes unavoidable, but we have as yet no directions about it.

I am now come to y^e 23^d of May: I reciev'd last night one from Governour Clinton wth a Boston paper, in w^{ch} is a copy of the French king's declaration of war, & the declaration of war by our king; but as yet have no Authentick notice of it. I sent to the Board of Trade & Secretary of State the Laws past the last session & the minutes of Council: my letter is dated y^e 3^d of March 1743-4, and I send duplicates of them by this conveyance. Please to enquire and let me know whether those I sent formerly, or the duplicates I send now, be reciev'd, and faile not to give me the earlyest Intelligences you can by way of N. York, Boston, or Pensilvania of things, especially such as relate to our province; but news-papers may be sent to York or Pensilvania to some of your friends there, y^e you can depend on, to be convey'd to me without the charge of Postage. Especially to Philadelphia; boates going from the place of my abode weekly to that place.

I am your friend in what I may,

L. MORRIS.

GOVERNOR CLINTON TO GOVERNOR MORRIS.

New York 13th May 1744.

SIR :—I have received by a Ship Just arrived from England a London Gazette dated the 24th of March, wherein was the inclosed Paragraph; and as I imagined this to be the latest paper from thence, and that War is declared, (although I have no private account of it) I doubt not but that this early notice will be agreeable. The ship sailed from London the 16th but put into Falmouth by contrary winds, where he picked up this paper, which I would have sent express to you, but could not perswaid our Assembly it was necessary, but an officer that has been recruiting here some time sett's out this morning for Philadelphia and I have desired him in his way to deliver this; I have not now time to send you an account of the late action in the Medit^a, dated from M^r Matthews at Mahon the 29th of Febr'y, but will have it copyed and sent you by the to-morrowe's post; all that I can say, the French left the poor Spaniards in the lurch after a little trial of skill, for during the time some of our

Ships was engaged with some of the Spaniards ahead, M. De Count let Rear Adm^l Rowley come along side of him, when they had warm work for near three Glasses, as had the Princess Carolina. That after y^e time M. De Count set Iris Foresail and left M^r Rowley who was then engaged by the French Adm^{ls} Two Seconds, but not for above twenty minutes before they went off and all got into Alicant: a Fresh Levanter and a Great Sea prevented M^r Matthews from doing the execution he other ways would have done, notwithstanding Vice Adm^l Lestock with 17 saile never came into the engagement. Any other account I shall receive worth your notice I shall with pleasure send you, being most sincerely and with great Regard, D^r Sir,

Your Excellency's most obedient humble serv^t

G. CLINTON.

The man I sent Express to you with M^r Hone's letter is very positive he delivered mine to your Secretary with one in it enclosed to me from Govern^r Sherley.

From the London Gazette, Enclosed in the foregoing.

Whitehall, March 24th.

"By letters from Mr Thompson, His Majesty's minister at Paris, to His Grace the Duke of New-Castle dated 28th inst. N. S. there is an account that the French Secretary of State Mr Amelot, had, on that day, notified him, in form, that things were now come to such a pass between the two nations that France cou'd no longer avoid declaring War against Great Britain, and that the Motives which were the occasion of France's taking that step wou'd appear in a manifesto to be published very soon for that purpose.

And by letters from Dover there is advice that the Mate of one His Majesty's Packet Boats, which came in there late on Wednesday night last from Calais, had bro't word that War was actually declared for that place against Great Britain the same morning."

GOVERNOR CLINTON TO GOVERNOR MORRIS.

New York 24 May 1744

SIR:—I sent you the 12th inst, by one Lieu^t Welch who was going to Philadelphia, a transcript from the London Gazette of 24 March signifying that War would soon be declared by France against Great Britain, which I hope you have receiv'd, and I herewith inclose you two printed Papers with Declarations at length between the two Crowns.

The Account came by a Vessel that arrived the 12th inst, at Boston from Glasgow, but I shall take no notice thereof publicly, until it is notified to me in form. I did not send you the Paragraph in relation to the Action between M^r Mathews and the combined Fleets, as it was published in the Prints sent you. I am with great Regard, Sir,

Your Excellency's most Obedient Humble Servant

G. CLINTON.

His Excellency Lewis Morris, Esq^r.

GOVERNOR MORRIS TO GOVERNOR CLINTON.

Kingsbury May 23^d 1744

SIR :—I am indebted to you for two Letters, the first by M^r Welsh y^e officer, the last by the post. I would have return'd you my thanks for the account you sent by the first, but the post was gone before I knew of his being come, & tho' I promis'd to give the knave a pistole a yeare to call on me, yet he rarely comes nigh me.

I believe the declaration of War is certain, yet I Joyne with you in thinking that it is not proper for either of us to take publick notice of it till we recieve directions about it from the Secretary of State. Our Assembly stands Prorogu'd till y^e 5th of June; and if before y^e I recieve such notice as we both expect, I shall meet them & try to prevaile on them to do something with respect to our militia; tho' I own I have but little hopes of success while we have Quakers in Assembly, who, consistant with their principles, do what they can to defeat any thing of that kind: & did our Superiors in England truly know how much expos'd Pensilvania & the Western division of New Jersey is, and believe the consequences of their being so may prove dangerous to these parts of America, & how difficult it is (if not Impracticable) to perswade an Assembly consisting of Quakers or part such, (who always will have an influence,) to do any thing wth respect to a militia or selfe defence, I should think they would not Judge them fit persons to be intrusted wth Government, or to be members of the Legislature any where :—but of this enough.

I heartily wish the continuance of your health, and am with much truth,
Your Excellency's friend & humble servant,

L. MORRIS.

To his Excellency George Clinton, Govern^r of N. York.

GOVERNOR CLINTON TO GOVERNOR MORRIS.

New York 28 May 1744.

SIR :—I have yours of 23^d inst, and in case of a Rupture between the two Crowns, this or some of the neighbouring Provinces on the Continent may possibly be invaded. I shall think it my Duty as far as possible to guard against any surprize, and not only Defend this Province to the utmost of my power, but lend all the Assistance I am able to others, which, as I persuade myself, are also your sentiments. I doubt not but you will give the necessary Orders to the People under your Government, especially to those bordering on this province, to hold themselves in readiness to march to our Assistance on the first notice of the approach of an Enemy, and you may be assured I shall make the like disposition for the succour of your Colony. I am, Sir,

Your Excellency's most obed^t Humble servant,

G. CLINTON.

His Ex^{cy} Lewis Morris, Esq^r.

GOVERNOR MORRIS TO GOVERNOR CLINTON.

Kingsbury May 31 1744

SIR :—I have yours of y^e 28th Inst. I believe the French are not Ignorant of the value of the Northern Colonies, and it's not Impossible may make some attempt upon some of them ; but I question whether they can spare force sufficient to Endeavour a Conquest of them, that seeming to me to be an attempt too big for them at this distance ; & while we are masters at sea hardly practicable. But however that be we should be upon our guard as much as we can, Especially to render any attempt on us unsuccessful, and I should be glad we were better provided for it than we are. I shall order what force is nigh you to assist you, & indeed all the force I can raise if there be occasion ; but these forces must eat ; and there must be convenience of transporting them, and there will be a necessity in such cases for Expresses very often ; for all which previous Provision should be made by Assemblies. Those I have to do with will not be easily perswaded to any thing of that kind tho' necessary ; and yours (I am afraid) are not much better ; However I shall willingly do all that is in my power to give you all the Assistance I can on any such Occa-

sions, & by short prorogations will keep ready to meet on the first sufficient notice of a rupture. I am, Sir, yours very heartily,

L. MORRIS.

To Govern^r Clinton.

TO MRS. NORRIS.

Kingsbury, near Trenton, June 3^d [1744]

MY DEAR CHILD :—I have yours of March 4th 1743-4 and am glad to find by it that your health continues after the recovery from your late illness, which I hope will prove in the nature of a seasoning of you to y^e climate, and be a meanes of preserving you in health; & hope the Country you are retired unto is a healthy one and safe from Robbers,—if a lonely family can be so in the country, especially with a woman at the head of it. You have made a choice that I much approve of, the Country, in my opinion, being much preferable to that noisy, stinking, & very Expensive town, London, & I hope your farming will not only prove a delightfull & healthy amusement but of benefit to you, at least will not be a Loss; This much depends not only upon having some skill in affaires of that nature yourself, but in having good and faithfull servants, (w^{ch} are rare to be met with so nigh London) and Employing few of them. I am in some sort in your Condition, being in a place of Coll^o Thomases about halfe a mile from Trenton, for w^{ch} I give £60 p^r annum, it is a very healthy & a pleasant place. We have all had our health very well since our being here; as for your Mother's illness that would have happened any where. * * * * Our house is good and not one chimney in it smokes; & we live much more private here than at Morrisiana. We have two cows w^{ch} affords us milk, cream & butter during the summer; and I intend to get two more & Try what I can do for the winter. I have not yet got into plowing & sowing, having but little ground, and that but ordinary & much out of order; but shall try a little at it when I get it into something better fence, which I am doing. Your Mother amuses herself with a brood of turkeys, fowles & ducks w^{ch} she has about her, & now & then some one of her children comes to see her. Mrs. Graham is now here with her youngest son, a fine healthy good humoured boy. Isabell Hooper is also here, who seemes to be a discreet good humor'd girle, & Peggy is also with us who has had a touch of the fever & ague which has for some time left. She is very positive, abhors the barke, & being, or pretending to be, a sort of a doctress, will be her own Phisycian. Your brother Robin is at Tinton, and wth a little experience of his own, by the help of Jethro Tull & some

other bookes of husbandry, sett's up for a Connoisseur in farming: grows fond of it and practises with tolerable success. Your brother Lewis has been very ill of the Jaundice, but is recover'd; and I'm told is now pretty well; is in the Assembly,* and has been of great service to M^r Clinton. He has two sons at the Colledge at New Haven, Lewis† and Staats;‡ Richard§ I educate, and he is also there at the grammar schoole, and I am told is a promising youth; his daughter Molly, married to young Lawrence, has a daughter and is call'd a very good housewife and a very discreet young woman. I suppose that from Robin, or some of your sisters, you will learne the state of the rest of the family; so that I will returne to your Mother, who now sits reading in the window it being the 3^d of June and her birth day, Just entred on y^e 72 yeare of her age * * * * * and is in good health now. * * * * *

You tell me in yours that you had sent me a hogshead of your beer, & that M^r Saint would ship the things I wrote for, & I should wth your letters receive a bill of Lading for them. I thank you for the beer; & when I recieve it shall often remember you in it; but as yet I have no such bill of Lading; nor any account by what ship, or to what place these things come, or are to come. Your living in the country renders you in a manner unable to transact business of this kind, w^{ch} is very forreigne to what you are engaged in; & for that reason I fear troublesome to you, & I feare too trifling for M^r Saint's notice. Perhaps you will be surpris'd when I tell you that the tapes, silks & ferrets were all the worst of their kinds; the silk was only fit for marking, the bobins very coarse; the tapes sent for tying up papers will do, and that's all;—halfe a dozen pieces of tape were pretty good, but the dozen pieces of plain tape bad & fit only for tying of papers; the pinns and needles were good. I believe had you bought these things yourselfe we should have had the best of the kind; for such only we should send to England for.

I am glad to heare poore Lady Wager is well; pray when you see her make the tender of my kind regards acceptable to her; I hope Sir Charles has left her in a condition above dependance.¶ I hope also this

* Of New-York.

† Afterward member of the Continental Congress from New-York. and a signer of the Declaration of Independence.

‡ Staats Long Morris entered the army, married the Duchess of Gordon, became a member of Parliament, and lived and died in England.

§ Afterwards Chief Justice of New-York.

¶ This worthy man died April 24th, 1743. He is represented to have been prudent, temperate, wise, and honest, easy of access to all, unaffected in his manners, steady and resolute in conduct, cheerful in temperament, and in time of danger or of action perfectly composed. See note on page 40.

will find Sir John* and Lady well, and that you stand in good termes with them both and with the whole family. I'm sorry the storme hindered him from engaging with the French & plucking those Lawrells which it is very likely he would have done on that occasion;† pray give my humble service to him & her when you see them. You say nothing to me of your sister Pearse in your letter; however unfortunate or imprudent she is, or is suppos'd to be, yet she is your sister and is a very affectionate one, & I hope will allwaies have your regards. I write to her by this conveyance, and if she can think of coming over I shall take care of her. I pray, if you can, in your next send me some account of her & her husband, for to heare that she has her health will be some satisfaction to,

My deare child, &c.

Your mother Injoins me to give you her blessing. She is not able to write, or at least 'tis very troublesome to her, w^{ch} is the reason she doth not.

To Mrs. Norris.

Mem. Sent to her for 24 gross of the best velvet corks, 50 lbs of the best Salt Peter and a quarto bible for Peggy.

TO THE DUKE OF NEWCASTLE.

Kingsbury June 10th 1744

MY LORD:—I yesterday Reciev'd your Grace's of y^e 31st of March last via Boston, wth his Majestie's Declaration of war against the French King, & his Majestie's Declaration for the Encouragement of his ships of war and Privateers.‡ I caus'd them Immediately to be publish'd, & sent Expresses with them to be published in the other parts of the Province. I also sent an Express to Governour Thomas of Pensylvania, with the packet & publick letters directed to him, and those directed to the

* Sir John Norris.

† This reference is explained by the following extract from the journals of the day:

"*February 24th, 1744.* This day Sir John Norris with his fleet came round the South Foreland and was off Foulkstone, in sight of the French fleet at Dungeness; but in the evening a storm

arising at N. E. the latter slipt away to the westward, leaving several anchors and cables behind them."

‡ Nos. 33 and 35 of the "Morris Papers" are letters from the lords of the admiralty, directed to the judge of the Vice Admiralty Court in New Jersey, to take cognizance of seizures, captures, &c.

Governours of Maryland, Virginia, North and South Carolina, & to y^e Captaines of his Majestie's ships there. I have, in expectation of his Majestie's declaration of war, continued our Assembly by short Prorogations, and intend to meet them on y^e 22^d of this month, to try if I can prevaile on them to put the militia into some better condition, to make it as usefull as may be on occasion; and shall be glad if the influence the Quakers have amongst them do not Prevent it. Their excommunicating a Chief Justice of the Lower Counties of Pensilvania who thought selfe defence lawfull, and press'd it as necessary, I feare will have no good effect upon those of them that are members of our Assembly. Inclos'd I send for your Grace's amusement a printed account of that affaire lately made publick, and am, my Lord,

Your Grace's, &c.

L. M.

To the Duke of New Castle.

Although the circumstance here adverted to occurred in 1742, it had not long before been made public. The same difficulty existed in Pennsylvania in regard to the proportion of Quakers in the Assembly as in New Jersey, and much altercation was the consequence; the Assembly, to justify their refusal to comply with Governor Thomas's recommendations for putting the province in a posture of defence, &c., asserting "the unlawfulness of war to Christians in general." In the Lower Counties, however, the Quakers were in a minority, and there a militia law was enacted regulating the times and mode of training, and providing for arms, ammunition, colors, drums, &c., much to the annoyance of the Quakers, who pronounced it contrary to their charter of privileges. The chief justice, Samuel Chew, although a Quaker, differed from his brethren in his views of the lawfulness of defence; and conceiving it necessary for the good of the country to remove prevailing prejudices, if possible, took occasion, in a charge to the Grand Jury, to express his opinion on the subject and, at the request of that body, had the charge printed.

The Quakers remonstrated with him, and endeavored, without effect, to procure a retraction of his views. Failing in this,—using the language of the chief justice—“they erect themselves into God’s Vice Gerents, and, in order to intimidate other magistrates, not only exclude him from their society, but in effect pronounce him to be out of God’s mercy.” The following is the official mandate of excommunication :

“Whereas Samuel Chew, of Kent County on Delaware, was educated amongst us, the people called Quakers, and has owned himself in a public manner to be a member of our religious society, yet, notwithstanding, he has appeared in print contrary to the good order established amongst us, for preserving of unity in our society, as also contrary to our professed principles and practices, in relation to military performances; which may be seen in a printed, called the ‘Speech of Samuel Chew, Esq;,’ dated November 21, 1741. From things appearing in public view, we thought it our duty to treat with him in a friendly manner, in order to bring him to a sense of his error, but could not prevail with him to retract any thing of what he had done. Therefore, as we cannot own the work, we think it needful to disown the author, and do hereby declare that the said Samuel Chew is no member of our religious society until he find mercy with God and walk in humility before him, and his practices better correspond with our principles, which that he may is our sincere desire.

“From our Monthly Meeting of Duck Creek, held at Little Creek, the 18th day of the 8th month, 1742. Signed in and by order of our said Meeting, by

“WILLIAM HAMANS, Clerk.”

It is significant of the influence of the Quakers at the time, that Mr. Chew could not prevail upon the Philadelphia papers to publish this document, with an explanation of the circumstances, but was obliged to send it to New-York to get for it the publicity he desired.*

GOVERNOR MORRIS TO THE LORDS OF TRADE.

Kingsbury June 11th 1744

MY LORDS:—With this conveyance there is sent to y^r Lps duplicates of the acts of Assembly, minutes of Councill and answers to your Lps queries. I reciev'd on y^e 9th from his Grace the Duke of Newcastle his Majestie's declaration of war against the french King, w^{ch} I have published. I Intend to meet our Assembly on the 22^d following, with intent to prevaile on them to render the militia more usefull if I can; but the treatment of a Chief Justice in the Lower Counties of Pensilvania who attempted to shew the necessity of doing so there, I fear will intimidate any members of our Assembly who are of that perswasion, or such as they can influence, from giving in to any thing of that kind here. I send Inclos'd an account of that matter lately publish'd for your Lps perusall & amusement, and am, my Lords, &c

L. M.

To the R^t hon^{ble} the board of trade & Plantations.

Several prorogations of the Assembly were made between December, 1743, and the 22d June, 1744; on which day the members convened at Burlington in accordance with the governor's mandate, and he drew their attention to the urgent necessity for placing the militia of the province under better regulations, in view of the hostilities with France. No other topic was referred to in his speech; and the Assembly, having in

* New-York Post Boy, May 21st, 1744. Mr. Chew died under the excommunication, in June, 1744.

committee discussed the merits of the existing law upon the subject, by a vote of sixteen to six declare the same fully sufficient. An address was presented to the governor on the 27th, conveying to him their decision; and, as it was harvest-time, they requested to be prorogued until the usual period for their session, which would afford them an opportunity to consult with their constituents in relation to the matter.

The governor promptly responded on the 29th, declining to accede to their request, and pointing out some of the defects of the existing law, both in letter and practice; whereby the required parades were neglected, the collection of fines not enforced, and those elected as officers, particularly in the Quaker counties of Burlington and Gloucester, induced to decline or to evade the performance of their duties. The following day a bill was sent down from the Council, which, on the 2d July, the House refused to consider, by the same vote which had declared the sufficiency of the existing law; but they ordered it printed, with the view—so the governor asserts in his despatch to the ministry—to make the Council unpopular with the Quakers and the lower classes: but the prejudices of the Quakers seem to have been consulted by the act, they being exempted on the payment of three shillings for each day that other citizens were obliged to muster or perform military duty, to be applied to the building and repairing of bridges and highways in their respective towns and counties.

The refusal of the Assembly to act upon the subject drew from the governor a tart reply, and a dissolution on the 3d July.

GOVERNOR CLINTON TO GOVERNOR MORRIS.

New York 9th July 1744

DEAR SIR:—I presume you are not unacquainted of my Interview with the Indians at Albany, and with His Honour the Deputy Governour of Connecticut, and the Commissioners from Boston, who came to confirm their former Treaty with our Tribes, and to agree upon such measures as might be thought necessary for our mutual Safety, to which end, they deliver'd me the inclosed Proposals, which I send you to peruse, as a Party concerned.

Whatever our Assembly may think of the matter, it is my opinion something of the kind should be enter'd into for our Defence and the Annoying our Enemy. I shall be glad to have your thoughts upon it, and am very sincerely,

D^r Sir, your most Obed^t Humble Servant,

G. CLINTON.

His Exc'y Lewis Morris Esq^r.

PROPOSITIONS FROM COMMISSIONERS OF MASSACHUSETTS BAY,
ENCLOSED IN THE FOREGOING.*Albany 20 June 1744*

To His Excellency the Hon^{ble} George Clinton Esq^r Governour of New York.

To the Hon^{ble} Roger Wolcott & Nath^l Stanley Esq^r Com^{rs} for the Colony of Connecticut Conven'd here to confer with the several Tribes of Indians, and in Concert with us the Commissioners of the Province of the Massachusetts Bay, to consult and agree on proper measures for the mutual Defence of His Majesty's Subjects of the Provinces & Colonys We Represent in the present War ag^t the French, and such as are or may be their abettors and adherents, and for annoying the Common Enemy in such manner as may be thought most proper.

Whereas the Conference with the said Indian Tribes which has hitherto taken up our time is now in a manner over, We the said Com^{rs} for the Province of Massachusetts Bay, in the name of our Government, do further propose to your Excellency & Honours that it be now agreed,

First, That in case an Invasion should be made by Sea or Land on

either of the said Governments, by the French or Indians, in the present War, the other two shall hold themselves oblig'd to send Succour to their Relief, in such number or manner as may be reasonable & necessary, and as we shall now agree on.

2dly. That a proportion of Men (to be arm'd, Subsisted & paid by the Governments that send them respectively) be agreed on, to scout & scour the Woods in case of an Indian War.

3dly. To agree on a suitable number & proportion of good Cruising Vessells, well arm'd & man'd by the Governm^{ts} respectively, to Guard our Sea Coasts.

4thly. To agree upon the most proper methods for our mutual information & notice of any approaching Danger by Sea or Land.

5th. To consult about & agree to the most effectual measures of annoying the Indian Enemy in case they make War upon us.

6thly. To stipulate that no peace be made with the said Indians or any Tribe of them waring with these or either of these Governm^{ts} without the privy & consent of the whole.

7th. To consider the necessity & expediency of carrying the French War into their own Settlements, & to agree on the proportion of Men each Governm^t shall find in case of such an attempt.

8th. To agree on what Encouragement shall be given the Indian or English Soldiers we may send out ag^t the Enemy.

9th. To consider whether it may not be proper in some suitable manner to desire the Governour of Canada to forbear their former practice of sending Scouts of French or Indians in small Partys, on our Frontiers to knock our Women and Children in the head, and propose that he carry on the War in a manner more agreeable to the usage of Civilized Nations, and to let him know that unless he conforms hereto, he will necessitate us to take the same methods with his People.

JOHN STODDARD	}	Commission ^{rs}
JACOB WENDELL		
THOM ^s BERRY		
JOHN CHOATE		
THO HUTCHINSON		

GOVERNOR MORRIS TO GOVERNOR CLINTON.

Kingsbury July 14th 1744

SIR :—I have reciev'd the Hon^r of yours of the 9th Currant, w^{ch} was given me by my son, who tells me y^e you & your Spouse & family were in good health, w^{ch} I was pleas'd to heare; and that your meeting wth the Indians and treating wth them has been finish'd to your satisfaction. I believe they are not unacquainted how necessary we think it to be in good termes wth them at this time, & are not ignorant how to make an advantage of it. I can not say much to the proposalls of the gentlemen of New England. They perhaps have had powers or Promises from their Assemblies, to carry what they should agree to into execution, & when we have sufficient assurances to be able to make good our engagements on those or such like heads, they are not unworthy consideration; but till then are rather points of speculation concerning what should, or ought to be, than what can be. I send you one print of our proceedings here the last sitting of our Assembly, w^{ch} I met as soon as I could after recieving his Majestie's declaration of war; & you'll see wth what effect. I Intend to meet a new Assembly about y^e 16th of August next: & I have not any great reason to believe it will be wth Better success, while those call'd Quakers have any Influence. Pensilvania is in much the like condition, & I feare our enemies know it too well. They have there a popish chappell & numbers of Irish & Germans that are papists; and I am told that, should the French land 1500 or 2000 men, they would in that Province soon get 10 or 12 thousand together, w^{ch} would in such case be not a little dangerous to these and the neighbouring Collonies; & in my opinion seemes to make it necessary for the ministry to take some thought about us; & do that for us w^{ch} its plain we refuse here to do for our selves. I am,

Sir, yours with great regard,

L. M.

GOVERNOR CLINTON TO GOVERNOR MORRIS.

New York 23^d July 1744

DEAR SIR :—I have your favour of 14 inst., being left by the Colonel with the Chief Justice, in his way home, so I have not seen him.

The Gentlemen from Boston had a Commission from their Governour

of 8 June, by and with the advice of their Assembly, to treat with me, & the Neighbouring Governments, upon Measures, either Jointly or Separately, for annoying the Enemy in the Present War, which I think is a sufficient power, to concert with them, & execute what may be agreed upon.

I have met our Assembly, & have recommended to them, int al, to raise Supplies to enable me to give me the like powers, and I think it a matter of so great a Consequence, that it should be immediately agreed to; they come in slowly, and what may result from their weighty Deliberations, when together, time & patience must discover.

I am writing away for England by way of Philadelp^a that I have not had time to look into the Proceedings of your last Sitting, but question not that your reasons are well grounded for dissolving them; I wish you better success in your next, when I hope the stubborn sett will not prevail, agreeable to their Cursed Principles.

The encouragement of Popery in these Colonys may have very dreadful Effects, and I am told, those call'd Moravians are of that Principle, and are attempting to seduce our Indians from their Fidelity. I think some method should be taken to suppress those numerous itinerant pretenders to this & that sort of Religion, which may cloak their zeal for that which is destructive to us.

I shall hint to you occasionally, what is doing, while our Assembly sits; in the mean time I am, very truly,

Dr Sir, your Excellency's

most Obed^t Humble Servant

G. CLINTON.

His Ex^{cy} Lewis Morris Esq^r.

Under date of Sept. 3d, 1744,* Governor Clinton sends Governor Morris a counterfeit New Jersey bill, which had been passed at Norwich, Connecticut; and also encloses the examination of some French mariners relative to a French fleet off Cape Breton. In a post-script he adds—"I have just rec^d information from Albany by some of our Indians who were sent to Canada, that y^e Caghnawges, Sakawdides and Onagonges Indians have at y^e instance of y^e Gov^r of Canada taken up y^e Hatchett against y^e Enemy's of y^e French."

* Morris Papers, Nos. 47, 48.

THE LORDS OF TRADE TO GOVERNOR MORRIS.

SIR:—Since our last Letter to you of the 30th of June 1743, We have received but one from you, dated June 10th 1743, together with the Papers therein inclosed.

We shall be glad to hear that the new Assembly behaves in a manner more to your Satisfaction than the last did, of whose Conduct, you had great Reason to complain.

We hope the Confinement you was under from an Inflammation in your Leg, did not continue long, & that you are perfectly recovered. So we bid you heartily farewell, & are

Your very loving Friends & humble Servants,

MONSON

M BLADEN

R PLUMER

JA: BRUDENELL

B KEENE

Whitehall, August 2^d, 1744.

P. S. Since the signing of the above Letter, We received Yours of the 3^d of March 1743—4 & of the 11th of June last, to which you shall have an Answer soon.

MONSON.

Hon^{ble} Lewis Morris, Esq^r, Gov^r of New Jersey.

The new Assembly met at Amboy on the 18th August. The following are the names of the representatives returned:

For *Perth Amboy*—Samuel Nevill, Samuel Leonard.

“ *Middlesex county*—Robert Hude,* William Ouke.*

“ *Monmouth county*—John Eaton, Robt. Lawrence.

“ *Essex county*—George Vreeland, John Crane.*

“ *Somerset county*—J. Van Middleswart, Derrick Van Veghten.

“ *Bergen county*—L. Van Buskirk, David Demarest.

“ *Burlington*—Richard Smith, Isaac Pearson.

* New members.

- For *Burlington county*—William Cook, Thomas Shinn.
“ *Gloucester county*—Joseph Cooper, John Mickle.
“ *Salem county*—William Hancock, Moses Shepherd.
“ *Cape May county*—Henry Young, Jacob Spicer.
“ *Hunterdon county*—William Mott, Daniel Doughty.

Samuel Nevill was elected speaker.

It will be observed that the trouble and expense of an election had been incurred to effect a change in only three seats.* Robert Hude, who was a member in 1740, and William Ouke, being returned instead of Andrew Johnson and Thomas Farmar; and John Crane in the place of Joseph Bonnell, all three of those retiring being friends of the governor, so that he had not strengthened himself in the least by the proceeding: but the House, showing a willingness to enter upon the consideration of the militia bill by referring the subject to a committee, the governor allowed them to adjourn from the 25th August to the 4th October; then to meet at Burlington.

At that time indisposition prevented the governor from delivering the usual speech, but the Assembly does not seem to have experienced much difficulty in determining upon a course of action known to be at variance with his wishes. On the second day of the session, the favorite measure of making current £40,000 in bills of credit was proposed, and, after passing through all the usual stages of legislation, the bill was ordered to be engrossed on the 17th by the decided vote of 19 to 3. A militia bill was also passed, 11 to 6, on the 26th.

* January 21, 1745, Charles Read, writing to James Alexander, says: “The City and County of Burlington have returned their old members on

view—so will all the counties to the westward: there is some stir in Hunterdon, but it will be to no purpose. I heartily wish better times.”

The indisposition of the governor continuing, and some matters having come before the Assembly and been acted on which he would rather have prevented, he deemed it advisable to direct their adjournment—which he did on the 12th November, to meet at Trenton on the 14th—and thereafter, until the 8th December, when they were summoned to Kingsbury to be dissolved; they continued in session at that place.

The course of the Assembly is detailed by the governor in succeeding despatches. A more open and determined opposition to his views and those of the Council was manifested than on any previous occasion; the annual appropriations to the officers of the government were reduced one half, only five members (Messrs. Leonard, Hude, Ouke, Vreeland, and Young) voting for the continuance of the governor's salary at one thousand pounds; the objectionable fee-bill was ordered to be printed with the votes of the House, giving it actual vitality notwithstanding the suspending clause; no conference with the Council upon sundry amendments to the militia law was permitted; and in connection with the resolution that the colony was not in a condition to support the government as largely as it had done, which was made the basis of the reduction above referred to, other resolutions were adopted, declaring it inconsistent with that freedom and privilege the people of the colony had a right to enjoy, that the same person should be chief justice and one of the Council at the same time; and that the small number of councillors attending to the business of the sessions was the occasion of great delay in the administration of the affairs of the public.

The fact that the governor's son was the person filling the two offices particularly referred to, had

doubtless no inconsiderable effect in leading them to the conclusion above stated, but there was manifest force in their argument that "it was unreasonable a judge of the Supreme Court should sit in Council and have a negative on a bill entitled 'An act to prevent any action under fifteen pounds being brought into the Supreme Court of this colony,' [which had been sent to the Council during the session] which for the ease of the people is to lessen some of the perquisites claimed by the judge of that court. * * * * And how unhappy may be the case of those who have, or shall have, occasion to remove a cause or causes from the Supreme Court and bring it before the governor and Council, when perhaps the same judge that gave judgment in the court may be one of the Council to judge it again there." This quotation is from the report which prefaced the resolutions referred to, in which they also commented in strong terms upon the repeated rejection by the Council of bills passed by the Assembly under, what they plainly imply, was undue influence by the governor.

This the Council resented in counter-resolutions—declaring it a public affront—as an assertion unjust and untrue—a proceeding altogether unprecedented, and calculated to disquiet the minds of the people of the province, and break off the correspondence between the two Houses. The right to reject any bill was undoubtedly theirs as a part of the legislature, and an attempt by the Assembly to censure them for exercising that right was subversive of the constitution.

They exonerated the governor from blame in relation to the number of councillors, he having no power to appoint beyond the number of seven; and as to the

union of the chief justiceship and a seat at the Council board, it was not deemed incompatible with the duties of either office, the chief justice by law as well as by the instructions of his Majesty, being prevented from sitting as a councillor upon any case determined by him in court: and moreover it was agreeable to the usage of the neighboring colonies, as well as of New Jersey. It was not surprising that, with such a decided difference existing between the two Houses, the governor should have thought it useless to prolong the session, or continue the Assembly.

GOVERNOR MORRIS TO MRS. NORRIS.

*Kingsbury Jan'y 22 1744**

MY DEAR CHILD:—I recieved yours of y^e 3^d of September on y^e 25 of Decemb^r. Lewis sent it me from York, and at y^e end of his letter tells me the cart had Just Brought him a box marked L M and desired to know what he should do with it. One would think there was no need of such a question: however I wrote to him to send it to me. I have allso wrote to Robin on y^e same score, who is at York, & sent to him your letter directed to him w^{ch} came to my hands in his absence. I sent both these letters to New York by undoubted safe hands, but as yet have heard no more of the box, nor know not what is in it nor by w^t ship it came, nor what freight is to pay for it, otherwise than by a small scrap of paper enclos'd in your letter which is as follows viz

To paid Clark for sundry books sent	£11 6 0
To Durand & Confer water plates	£ 4 0 0
To a Case 3 sh and Charges	£ 0 15 6
To a steell truss	£ 2 2 0
	<hr/>
	£18 3 6

This neither tells me what the books are, nor the number of water plates, nor what the charges are for, nor by whom sent, nor what freight I am to pay; so that I know not where or of whom I am to Enquire concerning it, but am very much in the Dark about it.

* 1744-5.

The case is much the same about the beer you were so kind as to say you would send, & which you write me you have sent, in a Vessel Chartered to sail in Aprill but waited for Convoy till the End of July or beginning of August: But having no bill of Lading nor any manner of account, either from you or any body else what ship the beer was put on board, nor where bound, know not whether she is arriv'd or not, nor when nor how to get any information about it: no such thing as yet being come to hand nor any account about it, but that in your letter which I believe upon second thought, you will think a very imperfect one. I know very well that it is time of war, that ships notwithstanding their being Chartered are subject to the restraint of Princes, that they may be much longer before they leave their Port than expected: and when they have left it may be taken by the Enemy or Lost: But unless some method is taken to let us know what ship it is, things are shipped on board of, (whether taken, or lost, or arriv'd) we are in the dark; and know not how to Enquire any thing concerning it, for which reason the mercantile men have severall bills of Lading signed & sent by severall Conveyances, & if you or any body else had sent me one of these in Either of these cases, I should have known how to Enquire about it w^{ch} at present I do not.

While I am writing this, M^r Read our deputy secretary, Came in & on Enquiry what ships were Chartered to leave England in Aprill, tells me that one Seamour & one Mesnard were both Chartered to leave England at that time. Seamour arriv'd some time in November last, but that Mesnard did not leave England till some time in August and arriv'd in Philadelphia about a week since. By him I reciev'd a packet from our Agent Partridge, but have no account of any things sent in Mesnard to me Either from yourselfe or M^r Saint. I have directed Read to Enquire about it. * * * * *

Your mother is sometimes very ill * * * * * the last attack she had was in September w^{ch} we all fear'd would carry her off, but since she has been very Easie. * * * * *

She has been my Constant Companion in my Chamber, w^{ch} I have been forc'd to keep for nigh two months and keep it still. I was taken ill in August last in my Journey to Amboy to meet the Assembly, Occasioned as I Judg'd by Eating some oysters out of season. This kept me two or three days at M^r Antill's, but I got so far over it as to meet the Assembly at Amboy; and at their desire upon their faire promises, adjourned them to Burlington. [He further narrates his ailments—but under treatment had become better]; & by the help of flip w^{ch} Govern^r Clinton (by Lewis who came to see me) recommended, as what prov'd

beneficial to Comm^r Kempthorne, I was (as my selfe & most thought) in a pretty faire way of recovery. But having all this while to do with an Ignorant perverse and obstinate Assembly who, notwithstanding their faire promises, Came predetermined to do nothing, I was forc'd to dissolve them, and being oblig'd on that occasion to go down staires got a most violent Cold & Cough w^{ch} held me long & reduced me to skin & bones: but I got over that, and have for some time pass'd eat wth a pretty good appetite & have recovered some flesh and strength; but have got a fresh Cold but am as yet without loss of appetite and there is hopes of my recovery. Your mother is my Affectionate & Constant nurse, & it is well for me that she is able to Endure it. She is in good health and looks fresh & well. She cannot sit down to write but desires to be affectionately remembered to you, and is allwayes glad to heare that you are well; & she cannot be more so than I am & shall be when I heare of your health. I hope this will find Sir John and his Lady in good health in the midst of these troublesome and turbulent times. If I have time I will write to him by this Conveyance. Your brother Robin is at York. Both your brothers and sisters are well and Continue dutifull & affectionate to their Parents. I Intend to recommend this to the Care of M^r Saint, and with it shall send a representation made to me by the Councill & I hope you will take Care that he is at no Expence for postage. By this representation you'll guess at the State of our affaires. I shall meet, if my health permits, a new Assembly this Spring; but if they Continue the resolutions of the past not to support the Government unless their termes are comply'd with, of making £40,000 current in bills of Credit, the Govern^t is like to Continue without support, & I must be forc'd to remove to Tinton and live as well as I can unless the Ministry interpose to reduce them to their duty. This they may, and I think it their interest to do. But that they will do so is hardly expected tho' much hoped for, and desired by, my dear Child,

Your Affectionate father,

L. M.

P. S. Jan^y 26th. I last night reciev'd the box I mentioned, marked L M, from Brunswick, in which was a parcell of Corks, a box of Salt peter, a bible for peggy & the Spring truss, these I sent for. There was also 8 box combs & a comb tray; who these belongs to I know not. But there was no water plates, nor books, as mentioned in your letter, and I know not where they are nor where to enquire about them. I do not remember my writing for box combs, tho' I did Intend to do it; therefore if these box combs are for any body else let me know, that they may be sent to the right owner, & send me a dozen of the best box combs and a

comb brush : let y^e combs be the best and finest that are made, and some better care taken to let me know who they come by than there has been about the other things said to be sent.

P. Script. March 19th 1744. This letter was sent to goe by the Queen of Hungary, one Hilton master, who is not yet gone, but will saile some time this month. Betty has sent for the combs and has them. I am so far recover'd that I Intend to meet our Assembly at Amboy y^e 28th of this month. The family here and at Morrisania are well. Your mother gives her blessing.

Yours,

L. M.

This duplicate goes by Mesnard from Philadelphia.

GOVERNOR SHIRLEY TO GOVERNOR MORRIS.

*Boston January 29th 1744.**

SIR:—This goes by Express to inform your Excellency that Petitions having been preferr'd by a considerable number of the Inhabitants of this Province to the General Court here, representing the present weak state of Louisbourg and the great Importance of the Reduction of that Place to the Obedience of His Majesty ; and a General Disposition appearing in the people to Engage in this Service, I recommended the Deliberate Consideration of this Affair to the General Assembly, who by their Committee examined a great Number of Persons, who have been Traders or Prisoners in that place, & have known it both in Peace and War, some of whom came from thence in the beginning of this Winter. This Examination, which was had before a large Committee of both Houses, has been so very Critical & Exact as to take up diverse days in the prosecution of it : The Result of which is a Cheerfull & almost Unanimous Resolution of the Court to undertake this Important Business in such manner as is particularly Express'd in the Report of the Committee accepted by the whole Court, which I herewith Inclose ; and wherein you will find this Affair is undertaken by us in full Confidence and Expectation that all His Majesty's Governments in North America, who are Concerned in Duty & Interest as well as We, will readily Join with us in so laudable a Design for the Honour of His Majesty & the Safety of the Trade & Navigation of all those Colonies & Provinces ; and our Expectation herein will appear more reasonable, if it be Considered what Pains & Charge this

* 1744-5.

Government hath been at alone for saving His Majesty's Interest at Annapolis Royall and in the Province of Nova Scotia. I must therefore earnestly desire that all may be done that is possible to Engage your Province to do their full part in Concert with us for Carrying on this Expedition, and that you either Join us, or soon follow us with a sufficient Force both for the Land & Sea Service, and as the Success of this Affair Depends much upon Dispatch I doubt not but you will use it: I have proposed to the ministry in Great Britain the undertaking of this Design, and earnestly urg'd it as of great Importance to the Crown and the Safety of His Majesty's Subjects in all these parts, before I had any thought of the Thing's being attempted in this Way; and I shall now write pressing by the first Conveyances both to the ministry at Home and to the Commanders of the Squadrons in the West Indies to send a naval Force to meet us & support us in our Design. I have ordered an Embargo of all Vessells whatsoever, and have Seized all the French men among us, & have Endeavoured to have them kept under such safe Custody as to prevent them from sending any Intelligence: The same measures will be necessary (as I apprehend) in your Government.

I am wth great Respect, Sir, your Excellency's most Humble and most Obed^t Servant

W. SHIRLEY.

His Exc^t Gov^r Morris.

ENCLOSED IN THE FOREGOING.

Jan. 25 1744-5.

The Committee of both Houses upon the Subject of his Excellency's Messages of the 19th & 22^d Instant make the following report viz'

That They have been attended by two Gentlemen who have lately been Prisoners at Louisburg & by Others who have been Traders there & who are well acquainted with the place, from whom the Committee have received Information that the Garrison there does not consist of more than five or six hundred regular Troops, & that there are not above three or four hundred fighting Men of the Inhabitants, that they have but a small Stock of Provisions, that they have no Vessels of Force in their Harbour, and that the place is at this Time less capable of being defended against an Attack, than, its probable, it will ever be hereafter.

The Committee therefore are of Opinion that it is incumbent upon this Government to embrace this favourable Opportunity to attempt the

Reduction thereof: and they humbly propose that his Excellency the Captain General be desired to give forth his Proclamation to encourage the Enlistment of Three Thousand Volunteers under such proper Officers as he shall appoint, That Each person so enlisting be allowed Twenty five shillings p^r month & that there be delivered to each man a Blanket, that one Month's Pay be advanced & that they be entitul'd to all the Plunder. That Provision be made for the furnishing of necessary Warlike Stores for the Expedition. That four Months' Provisions be laid in, that a Committee be appointed to procure & fit Vessels to serve as Transports to be ready to depart by the beginning of March, and that a suitable Naval Force be provided for their Convoy as this Court shall hereafter Order. That Application be forthwith made to the Governments of New York, the Jerseys, Pensilvania, New Hampshire, Connecticut & Rhode Island to furnish their respective Quotas of Men & Vessels to accompany or follow the Forces of this Province.

In the Name & by Order of the Committee.

W^m PEPPERELL

In Council, Jan. 25, 1744. Read & Sent down.

In the House of Repres^{ts}, Jan. 25, 1744. Read & Accepted.

Sent up for Concurrence.

T CUSHING, Spk^r

In Council, Jan. 25, 1744. Read & Concur'd.

J. WILLARD, Sec^{ry}

Consented to

W. SHIRLEY.

Copy Examined p^r J. WILLARD, Sec^{ry}.

GOVERNOR SHIRLEY TO GOVERNOR MORRIS.

Boston, Jan^y 29, 1744-5.

SIR:—To the inclos'd Circular Letter, drawn by the Secretary and sent to the Neighbouring Governments as far as your Province, I have to add that it seems a most Essential Point for the Service of the Expedition that we should have a Naval Force before the Harbour of Louisbourg by the Middle of March at furthest, sufficient to intercept M^r Duvivier, who is to return to Louisbourg by that time with Stores and Recruits for the Garrison there, under Convoy of perhaps a 54 and 60 Gun Ship; Such

an Event would be a most Heart breaking and killing Blow to the Garrison, and I should think would not fail of deciding the Point between us and the Enemy soon; For as to intercepting the Provision Ships there can be no Difficulty in that. Towards mustering up a sufficient Force against M^r Duvivier I have a Prospect of three twenty Gun privateer Ships, the Bien Amy prize, Captⁿ Gayton, a twenty Gun Ship, our Province Snow of sixteen Guns, the Rhode Island and Connecticut Colony Sloops; And I have sent an Express to Commodore Warren for his Assistance instantly after his Receipt of my Letter, and a Letter to Captⁿ Frankland; Another to Virginia, where I hear there is a forty and twenty Gun Ship of his Majesty's; And I am in hopes that we shall not fail of having one if not two of his Majesty's Ships here; with the New Hampshire and Annapolis Stores, by the beginning of March from Great Britain; I have further desir'd Gov^r Clinton (by this Express) to send us what Cruizers he can influence either the private Owners to consent to, or his Government to procure, to come to our Assistance, and I would beg the same thing of you, Sir, in your Government; For I esteem our mustering up a sufficient Force against M^r Duvivier, as I have before observ'd, to be a most Essential Thing.

The inclos'd Scheme of the Expedition, tho' sufficient to induce the Assembly to come into undertaking it upon their Enquiry and Examination into Facts, is rough, inaccurate and very Imperfect. The time will not permit me to enter into a more particular Detail of the Affair; In the mean time what I chiefly depend upon is that supposing that nothing more can be effected, besides taking the Royal Battery and breaking up all the Out Settlements upon the Island (which I think may certainly be effected) without Assistance from Great Britain, yet our Land Forces will be able to hold Possession of the Island, 'till his Majesty shall send us such a Naval Force and Number of Troops (which will come by Surprize as to Old France) as will secure the Point, and which I cannot think we shall fail of having by May at furthest, after the Ministry shall have received the Representation which I shall send of this Affair: And I have reason to think from the Spirit of the People in this Province and of the Assembly, that if the Neighbouring Governments will assist in the Expedition, the united Force cannot in the ordinary Course of human Events fail of succeeding in this Attempt.

I must beg the Favour of you to forward the inclos'd without a moment's Delay as it contains my Application to Gov^r Thomas and Gooch.

I am, Sir, Your Exc^t's most Humble and most Obedient Servant

W SHIRLEY.

P. S. I have the Assistance of M^r Bastide his Maj^y's Engineer for Nova Scotia and Capt^a Durell in concerting Measures and making the proper Dispositions.

His Exc^t Gov^r Morris.

Mem^o. In order for the Attacking of Louisbourg this Spring by Surprise, its proposed that 3000 Troops should embark from hence in Sloops and Schooners & proceed for Canso well arm'd, which should be the place of Rendezvous it being within 20 Leagues of Louisbourg, and its being uncertain that so many Vessells should be able to keep Company together when they are all arrived at said Port to take a favourable opportunity to sail from thence in order to be at Gabereous point by Dusk, from whence it is but 3 Leagues to Louisbourg, and then to push into the Bay and as soon as said Vessells are at an Anchor to man as many Whale Boats as they have & send them along the Shore as near as possible which will make it the more Difficult for them to be Discover'd; and when they come to the Cove which faces the low part of the Wall there to Land if the Sea will permit, & scale that place if possible and if otherwise, as the Wall breaks off a little on the other side of the East Gate not far from that, there are Pickets put for a Considerable Distance across a pond over to the Wall on the Beach on the other side of the pond, and as this pond is frozen all the month of march its not very Difficult to get over them, but if the weather will not permit their Landing in the above place let them proceed along the Shore till they come to a long Range of Rocks that goes towards the Island at the End of which is a passage where the Shallops go through, let them go in there and follow the Ledge of Rocks Right back again, then they will Land right against the East Gate on a Point, and as there are some Houses there it will hinder their being seen, but one Boat ought to go first and Surprise the people in those houses a little time before the others come up. Each Whale Boat must have two Ladders in them of fifteen feet long which may be put in the middle of the Boat without hindrance to the men, but the Boatmen must lay still at this Point till they think the main Body is got near the Town, and that a party of as many men as shall be Judg'd proper shall be ready to attack the Grand Battery. Its necessary it sho'd be low Water, if no Drift Ice aground along the Shore for the Remainder of the men to go round the Picketts that are by the north Gate, and when they get round with Ladders of 15 feet long they can Scale the Wall facing the Harbour which is a Quarter of a mile Round

and it will be absolutely necessary to appoint a Time to strike the Blow all at once, which can be done by agreeing upon a Certain hour just before day which is the Sleepiest Time, and the Commanding Officer of each Detachment to know the time, and when the time comes by his Watch to begin without any further Ceremony. The Enemy finding themselves attack'd at so many Different places at once, its probable that it will breed such Confusion among them that our men will have time to get in unmolested. It is to be observed that as the men march from the above point the low Wall is on the left hand of the Gate, and the Picketts on the right hand, as all the Enemy's Troops are in the Citadel, except a small Guard or two, it will be a considerable time before those men are drest and got ready to march out, and even then it is quite in the other End of the Town.

This is what probably may Succeed, but least any Accident should happen to prevent it it will be necessary to provide accordingly, and in Case our people should be Discover'd & Repuls'd, the above number of men being sufficient to Command the Field, it will be necessary in order to Reduce the Place to have what Shipping can possibly be got to Cruise off the Harbours mouth in order to Intercept their provision Vessells, which they expect Early being at this time very short of Provisions, as likewise to take any Transports with men if any should come, and that our men may not be Discourag'd at being Repuls'd once, it will be necessary to send 12 nine pounders and two small mortars with Shells &c. and a Quantity of Provisions so to Bombard them, and Endeavour to make Breaches in their Walls & then to Storm them, & should the Shipping be so lucky as to take their Provisions, and the Land Forces take all their Cattle, & keep them Constantly employ'd it will be impossible for them to hold the place till the last of July for want of Provisions.

In order the better to Secure the Retreat in Case a Superiour Naval Force to ours should come from France and drive ours off the Coast and We not take the place, which I do not think there is any Danger of, it will be necessary to leave two small Vessells with about Two hundred men at Canso, & the Day after the Fleet is Sailed for Louisbourg for them to Sail so as to get in by night, and it being but Six Leagues from Canso to S' Peters, they can get in there before day & Surprize that place, which is an Exceeding good Harbour for small Vessells but has not Water sufficient for Vessells of that Size which will be able to drive ours off the Coast, so that the Vessells for the Retreat will lay there safe and the Troops be able to go to them by Land: there will be an Advantage besides this in Surprizing this place, as there is always a number of Indians with their Familys which keep with a French Priest at a small

Distance from the French Inhabitants, and the Booty taken there will pay the Expence & more in taking it. It is to be Observed that during the time that our Troops lay Siege to the Town, it will be in their power to send Partys and destroy all their Fishery on the Island as well as the north side of the Harbour, which would Ruin their Fishery for four or five years, and as it is Impossible to fail of taking the Royal Battery at least that would in a great measure lay open their Harbour Expos'd unto an Attack by Sea from England. As to the new Batterys in the Town: in the greatest part of the Ambrozers there are no Guns, and there are two Gates which are made in Diamond Fashion faceing the Harbour that can be beat down in an Instant, the peices not being but two Inches & an half thick.

N B The full Complement of the Troops is 700, out of which Deductions must be made of 50 for each of the Two Batterys, viz^t the Royal & Island Batterys, & 50 for Death Sickness &c, which Reduce them to 550, & other fighting men in the Town do not exceed 300, and that the Swiss Troops which are their best Troops are exceeding Discontented & mutinous: also at S^t Peters they may be about 200 men in Scatter'd Houses, and the Suburbs of the Town of Louisbourg without the walls about 200. It is Improbable that more than two 30 or 40 Gunships should come with M^r Duvivier who may be Expected the first with Recruits & Supplies. And in Case the naval force that comes should be Superiour to our naval Force, that our 3000 men would Command the Field & Continue so till they be protected & Reinforced from England.

Copy, Examined p^r J WILLARD, Sec^{ry}.

GOVERNOR MORRIS TO THE LORDS OF TRADE.

*Kingsbury Jan^r 28 1744**

MY LORDS:—I reciev'd from your Lps yesterday a letter dated y^e 2nd of August 1744, by a postscript to which I learn that mine of the third of March & 11th of June was reciev'd after your Lps letter was sign'd. Where they had lay'd so long I cant concieve, for I believe that of the 3rd of March must have been in London before I wrote that of the 11th of June. I should have been well pleas'd to have been able to tell your Ldships that the Assembly I had to do with in June behav'd one Jot Better than those before them. I met them on y^e 22nd of June, being

* 1744-5.

the soonest I could meet them after I had reciev'd his Majesties declaration of war, w^{ch} came to hand an y^e 9th; & I had no other business with them than to procure the settlement of the militia, and putting the province into a posture of defence, w^{ch} I recommended to them, as your Lps will see by the Journalls here sent; but they would do nothing in it. The Council had taken some pains & had drawn a bill for settling & regulating the militia & sent it down to them, to which they gave two readings, and would not commit it on the second reading, but order'd the bill to be printed, with intention, as the Council Judg'd, to expose them to the resentment of the Quakers & lowest of the populace, who they endeavour'd to persuade that the Militia bill as drawn was an attempt of the Council to enslave them. The bill was taken from the laws of Virginia & other laws; & I think that or something like it almost absolutely necessary; both that, and an abstract of it, is inclos'd, wth what was said by them to me & by me to them on that occasion; to w^{ch} I humbly beg leave to refer your Lps: by w^{ch} you will see from their conduct that nothing of what was propos'd was to be expected from that Assembly. I did therefore dissolve them on the 3^d of July; and on y^e 18th of August following met a new Assembly at Amboy. Tho there were in this Assembly as many Quakers and most of the same that were before, yet there were some changes made* that gave some hopes of being able to put the Province into a posture of defence & I accordingly recommended it to them. They came to some resolves as your Lps will see, page 7th of the votes, and address'd me petitioning to be adjourn'd for a month or five weeks, and promising in their address to do every thing required at the next meeting. Tho I much doubted the sincerity of their promises yet I thought it not prudent to shew the least suspicion and accordingly granted their desire, as your Lps will see by the printed votes page 8, 9, 10. Thus ended the sitting at Amboy, and all things seem'd to promise an happy issue to our next meeting: But the sequell shew'd there was no truth nor sincerity in any of these promises; & that nothing was meant & Intended by them but to get the Assembly to Burlington, under the influence of the Quakers there and at Philadelphia.

I had been taken ill at the meeting them at Amboy in August, w^{ch} was one Inducement to me to Consent to the adjourning of them. This Illness before their meeting turn'd to a violent fever and ague, w^{ch} made me unable to attend them at their first meeting at Burlington, but some time after I did attend them there, and was taken wth a straigury w^{ch}

* As the changes consisted in the non-election of three of the governor's friends, it is difficult to say on what he based his favorable anticipations.

confined me with much pain to my bed. In about a week's time I got so far over that as to be able to get home to this place w^{ch} is in y^e County of Burlington and about 10 miles from what they call the City of Burlington, and parted by a small brook from Trentown the great Thoroughfare between York and Philadelphia. Finding my illness grow upon me, and that I was not able to attend them at Burlington, I directed the Speaker to adjourn them to Trenton which was done, & there they sat till y^e 8th of this month at w^{ch} time I dissolv'd them. I was before that time very ill, and mostly confin'd to my chamber, as I have been ever since; and am now with sometimes a sort of returne of the strangury; but my chief illness at present is a violent cold, w^{ch} I got y^e 8th in speaking to the Assembly, and has wasted me very much,—but of that enough if not too much. During the time of the adjournment they desired, they prepar'd their favourite bills, one of them, and what they had most at heart, was a bill to make current £40,000 in bill of credit.

They had seen a Coppy of the bill intended to be brought into the House of Commons this session; & I think had much reason from that to believe that the Royall assent would not easily be obtain'd to any such bill as y^t propos'd by our Assembly at this time of day; yet they push'd this bill seemingly totis Viribus (not that they believ'd it would pass but) that the refusall of it might serve them for a pretence to Justifie their Conduct to the populace, and secure their being rechosen in case they were dissolv'd; as well as to defeat the passing of any militia Act, w^{ch} the not passing of this bill to make Current £40,000 in bills of Credit gave them a handle to do, & to refuse to support the Government, or which is the same thing in effect, to lessen the usuall support to such a degree that the Council were under a necessity to agree to less than halfe of what was usuall, (which they knew the Council would never do,) or that the Government should be without any support; which is the Case at present.

These Votes and resolutions of the House appeare in the printed Votes herewith transmitted from page 72 to 82 Inclusive; and then follows the militia bill with the Councils amendments to page 100 inclusive.

“In page 72 and 73 of their Votes they Complain that they (the Assembly at the time) & the present had formed & adjusted bills w^{ch} they *Concier'd* Essentially necessary &c, many of them temporary bills, others with Clauses suspending their Effect untill his Majesties pleasure should be knowne; after all w^{ch} caution many of them had been re-jected by the Governour after having pass'd both Council & Assembly. That the late Assembly grievously Complaining, propos'd to the Gov-

“ernour the passing their bills previous to *their Granting* the support of “the Government.”

To this as it more particularly Concerns myselfe and is Intended as a Complaint against me to the populace, in order to Justifie their present Conduct, I shall give a short answer: viz the Councill and Assembly had been agreed to a bill to give me £ 500, this was to be a sort of bribe to me to pass a bill to make £ 40,000 Current in bills of Credit, this bill was agreed to by Councill and Assembly & both these bills I did reject tho' agreed to by Councill and Assembly. There were also two or three other bills, that had been formerly dissallow'd, of w^{ch} the Councill and Assembly agreed to but under different titles, tho in substance the same, wth those dissallow'd, of w^{ch} I also did reject. In my speeches to them I gave them the reasons (tho not oblig'd to do so) for doing it; my Conduct in this Case, & I think hitherto, has met wth your Lordships Approbation; & to my speeches made to them, and my letters & their Votes transmitted to your Ldps I humbly beg leave to refer.

The late Assembly did (what they call) propose to the Governour the passing their bills previous to their *Granting* (as they are pleas'd to call it) the support of the Government.

What these gentlemen Call proposing I call'd a threatening. That if I did not pass such bills as they sent up, they would not support, or as they call it, *grant* a support for the Government. I had much reason to believe they Came with resolutions not to agree to any support of the Government unless I would, previous to a bill for that purpose, pass what bills they sent up whether I approv'd of them or not, or whether they were such as his Majestie had forbidden me by his instructions to assent unto, or not; and if I should have done as they desired, or rather Commanded, under the penalty of the Governments being without any support, the Government would in such case have been no more secure of being supported than it was before, but rather less; for, if the Governour had not gratified them in every instance he knew the penalty of disobedience.

This proposall of theirs was also a threat to the Councill, under the penalty of leaving the Government without support, which tho' it would not effect them so much as it would the Governour and the other officers of the Government, yet is not without effects that it should not have; and is intended to be, and is, a greater restraint of that freedom his Majestie gives to every part of the Legislature than is Consistant with his Majestie's intentions, his service, or the good of the Publick; & is in my humble Opinion too dangerous in its Consequences to be pass'd by without such a notice as may prevent the like for the future, because such a

proceeding of the Assembly tends to fix the whole power of Legislation in the populace, and Consequently the whole power of the Government, which it is much Easier to prevent their having than to take from them, if by any means they are suffered to acquire it, or any thing that looks like it.

The gentlemen of the Council are generally men of Good fortunes & Characters, & would be unwilling to do, or omit the doing of any that might occasion y^e Government to be without a support, for w^{ch} reason (as I take it) they added a suspending Clause to the fee bill sent your Lps wth the proceedings of the Council & Assembly of the sessions at Amboy in 1743. [A paragraph follows similar to one in a previous letter, relative to the intention of the Assembly to print this bill.]

Their reasons for their order for printing the act, and their order for printing of it is in pages 61 & 62 of their Votes sent herewith* & then follows the Acts w^{ch} whether printed right or not I have not yet examined but your Lps may by the Act before you. Whether what they have done in this Case be criminall or not, or if criminall what the crime is and of what tendency is humbly submitted to your Lordships better Judgment.

As I had rejected (as they are pleas'd to terme it) their bill for making £40,000 current in paper bills, and their other bills, tho' assented to by the then Council, for the reasons I then gave, both to them & to your Lordships; And for doing of w^{ch} the Assembly of 1743 made y^e proposall or rather threat I have already mentioned; so the Assembly whose Votes I send, finding the now Council could not assent to their bill now sent them to make £40,000 current in paper bills as they expected they would, nor to some of their other bills; & that however Essentially necessary they Esteem'd them to be, that the Council thought them not so, Grew angry & say that "Wayes have been thought of to Influence a majority of the Council" (as in page 73 of their Votes) to reject the bills propos'd by the Assembly.

This was in order to Justifie their conduct (pursuant to their former threat) to the populace for not *Granting* a support. I really did not, nor Indeed needed I to influence the Council to reject bills they conceiv'd not in themselves good. But supposing I had influenc'd them, or Carrying it farther, supposing the Council had assented to these bills, and I would not assent unto them (as in the case where they did assent & I did not) what is my crime? the assenting or not assenting to Laws

* "Being well assured it will be very agreeable to the inhabitants of this colony to know what. in the opinion of the Governor, Council and Gen-

eral Assembly was a reasonable reward for the services therein mentioned to be done."—*Minutes of Assembly*, Nov. 20, 1744.

is a power I am intrusted with by his Majestie, (except in cases where I am forbidden to assent,) and to make my dissenting in either of these cases penall to me and all the officers of y^e Government, would be divesting me of the power his Majestie intrusts me with, and is an intimidating the Councill in order to Compell their Assent to what they please to propose by their bills, tho' either of us Judg'd these proposalls inconvenient, or unsafe and prejudiciall to the publick to be Comply'd wth; and to Compell both the Councill and myselfe to assent to what they propose could be (as I think) the only motive to such a procedure; how far it is fit it should be so, or if at all, your Lps can Judge.

The gentlemen of the Councill Judg'd these Votes and proceedings of the Assembly to be wrong; & that to suppose them to be under any undue influence in what they did was both unjust and untrue. They accordingly, to assert their own right as Councillors, Proceeded to make some resolves with relation to those made by the Assembly and sent them by a message to the Assembly. They are in the minutes of Councill sent herewith; and in y^e Printed Votes of the Assembly page 105 & 106 and the Assemblys message in Answer to them pages 106, 107, 108.

The gentlemen of the Councill not only made the resolves above mentioned, but (Even the two Quakers y^e were in, viz Rodman & Smith) unanimously agreed and made an Address to me, in which they give their reasons for not assenting to the bills the Assembly were so fond of; w^{ch} they have printed for the information of the publick and comes herewith submitted to your Lps Judgement as they desire.

The Assemblys Complaint in page 73 of their Votes that there has not been for severall yeares more than six or seven Councillors residing in the Province and that seldom more than five or six attends a session of Assembly is true.

Your Lps will find by the Minutes of Councill, sent both to the Duke of New Castle and to your Lps, that John Wills and Cornelius Van Horne were suspended at their own desire and request on y^e 9th of June 1740. That William Provoost was suspended on y^e 7th of July for reasons appearing on y^e ninth of June. John Schuyler was dismiss'd at his own request y^e 1st December 1739 to which I refer. John Schuyler is a man of Good sense and large substance being suppos'd not to be worth less than 60 or 70,000 pound, and is very much in the interest of the Government, but having the sole management of the Copper mines w^{ch} are in that family, could not be prevail'd on to attend the Councill nor cannot be prevail'd on to attend it: being so prejudiciall to his own private affaires; neither could Van Horne or Provost be prevail'd to attend as

your Lps will see by those minutes; It was not from any prejudice to me that they did not attend; nor was it to gratifie any resentment of mine that they were suspended, they being both my good friends; & the brother of Van Horne being before y^t married to my grand-daughter by whom he has severall children.

James Allexander resides at New York, has a very considerable Estate in severall parts of New Jersey, is a merchant at New York and suppos'd not to be worth less than £100,000. He is much troubled wth the Gout, and doth attend the Assembly when the sessions is at Amboy, and has been there lay'd up with the Gout the greatest part of the session in 1743: but cannot attend at so remote a distance from New York as Burlington is; nor at any other time when it is necessary to call the Councill together. John Hamilton has been very infirm, being taken wth a palsy w^{ch} took away in great measure his hearing, and could not attend at Burlington, or at this place. Robert Lettice Hooper is dead; as also Archibald Home, who was appointed by his Majestie in his stead. Fenwick Lyell is also dead; so that the residing Councillors were John Hamilton, John Reading, John Rodman, Richard Smith, Robert Hunter Morris; to these were added at Times Peter Baynton & Archibald Home to make up seven; These are both dead; and I have added Edward Antill & James Hude to make up seven residing Councillors, as your Lps will see by the minutes of Councill.

There being a necessity of calling the Councill together frequently, and the Assembly being resolv'd not to allow any thing for their attendance unless at the sessions of an Assembly, and then so small an allowance as will not pay their Expences, it is with difficulty I can get above three or foure Councillors together at any other time than at a sessions: Every such meeting being Expensive to them besides the inconvenience of being called from their habitations and Private affaires; and should I suspend any of them for not attending, the Case would be the same in others named to that place, Could they be prevailed on to accept of it, w^{ch} very few that are but tollerably fit for it are willing to do;—it being a sort of tax upon them to serve the publick at their owne Expencc besides the neglect of their owne business; and even to a sessions they do not readily come, for should they not agree to assent to such bills as the Assembly send to them for their Concurrence (as things are now circumstanced) they are sure of being without any thing to defray but part of their Expences; so that were there a full number of Councillors residing in the province, and they all in health at the time of the sessions, I should hardly have above seven or eight attending even then. But as I cannot fill them up to above seven residing Councillors, and as there

must be some time between y^e death or suspension of a Councillor (should that death or suspension make the number of Councillors less than seven) before I can make up the number; if there have been no less than six or seven Constantly residing they shew that I have kept within the bounds of my duty; and if five or six of these seven attend a session (considering what is said before, and that some of these might have been sick and unable to attend) five or six out of the seven is as great a number as Could well be expected to attend: But tho' I could not appoint more Councillors than to make up seven residing, in Case there were not that number residing, yet the nature and present Circumstances of things seemes to make it necessary that the whole number of Councillors should be Completed,—and as little room, as may be, left to the Assembly for murmur or clamour. I do therefore humbly propose to your Lps that the number of twelve residing Councillors be Completed, and recommend the following persons: Viz Edward Antill and James Hude, already sworne into the Council to make up y^e number of seven I pray may be confirmed by his Majestie. Andrew Johnston speaker of the late Assembly in the room of Cornelius Van Horne, Peter Kembal a considerable merchant in the room of John Schuyler. John Coxe a man of considerable estate in this Province, a good Lawyer, and grandson to the well known D^r Daniell Coxe Doctor in Physick, who owned a great part of this province, in the room of John Wills; who was suspended at his owne desire on y^e 9th of June 1740, and if alive goes double and is not able to attend. Thomas Leonard in the Room of Archibald Home deceased; they will then stand thus.

John Hamilton
John Reading
John Rodman
Richard Smith

Robert Hunter Morris
Edward Antill
James Hude
Andrew Johnston

John Coxe
Peter Kembal
Thomas Leonard

This will make eleven Councillors and James Allexander at New York is the 12th but if your Lps Incline to advise the alteration of Allexander, as not Residing, then I humbly recommend Richard Salter to be put in his place: tho considering the Large interest Allexander hath in New Jersey, and his being an able Lawyer, it may be a question how fit it is to displace him; but of this your Lp's are y^e best Judges.

One Partridge, a Quaker, who acts as agent of this Province (but is rather the agent of the Assembly, who he corresponds with and takes his directions from them,) sent to our Assembly a copy of a bill to prevent the issuing of paper bills of Credit in the British Collonies, &c intended to be brought into Parliament desiring the directions of the house how to proceed Concerning it.

What directions he has from the House of Assembly I know not, but he has no directions from the Government concerning it.

The Assembly as your Lps will see page 42 of their printed Votes, after having as they say Considered the bill, were unanimously of the Opinion, that if the said bill (*or any bill of that tendency*) should pass into a Law, it would not only be *an Encroachment upon the fundamentall Constitution of this Collony and the Concessions made to the first settlers thereof by his Majesties Royall Ancestors, but also destructive of the liberties and properties of his Majestie's subjects now inhabiting the same.*

This Opinion or Vote I have been told (but how truly I know not,) has been Copied from the votes of the Pensilvania Assembly, and our Assembly in this Case have been but their Apes. I know not what Concessions his Majestie or his Royall Ancestors have made to the people of Pensilvania: But I know of no Concessions either granted by any of the Kings of England, or the first proprietors of this province, that any way relates to paper currency, or that can be strain'd to have such meaning; but if they could, a British parliament can no doubt if they think such Concessions or Constitutions inconvenient or Injurious to the Publick alter them, or intirely abolish them, without being sayd to Encroach; & I believe y^e both their and our Assembly are incapable to shew any Concession or Constitutions that a British parliament could Encroach upon should they pass this bill into a law as now drawne. What is represented as the most dangerous part of the bill and gives most uneasyness is the last Clause "for the better Enforcing the due Execution of the Royall orders and Instructions."

This they Endeavour to perswade the people is to govern by Instructions and not by Laws. They deem instructions to a Governour to be directions to him w^{ch} he may follow or not, as he sees fit; & which they can (by taking propper measures) tempt or Compell him to break,—Governours not being allwaies proof against their Efforts; But that what shall be done in this case shall be void, or penall to the doers, or perhaps both, is what they cannot easily beare & I hope not easily avoid.

Those Concern'd in bringing that bill know so well the nature of a paper Currency that I need not say much concerning it. The Credit of ours in this Province has been preserv'd pretty well; But as no returne we or our neighbours can make will be equall to silver or gold, so where a paper currency subsists, those who are to make remittances to England will make them in Gold or Silver w^{ch} will lessen the Quantity of it and Consequently make it more in demand. This the merchant seeing offers more than the nominall vallue in paper for a piece of silver: for the pur-

pose, the paper says this bill shall pass current for 6th or 17 pennyweight & a halfe of plate & so on. By this method the Province of Pensilvania draws the silver & gold from New York and their neighbours; & by and by New York doth the same thing and draws a great part of what remains back againe; but by this meanes the paper bills decrease in their true Vallue, tho they retain the nominall one: & the silver and gold by remittances decreases in quantity: And how far any of the Governments in the plantations can interpose & Compell a man to part with 17½ pennyweight of plate for a piece of paper, mark'd six shillings, or take such a piece of paper in lieu of 17½ weight of Plate unless undoubted care be taken that such piece of paper shall be of y^e reall (not nominall) value of y^e 17½ pennyweight of silver, wth the Interest of it till pay'd, is with me a question: because such Compelling, unless such undoubted care be taken, seemes to me an act of Injustice & therefore not within the Legall power of a Government to do.

I do not know that any such Care is taken with respect to any of the bills known to me, I am sure none in this province; and that when they have the best Credit, as in New York and this province, 100 six shilling bills of any kind will not purchase 100 pieces of eight of 17½ pennyweight, nor any more of them than what those that have the pieces of 8 will please to give for the 100 six shilling bills.

Experience has I think sufficiently shewn that, in all those places where a paper Currency has been, that the bills have fallen dayly in their vallue and the Exchange increas'd; and it seemes plain that (if they are not iniquitous and illegall in their foundation,) they are fluctuating in their nature and uncertain in their Vallue & like to continue so; & therefore the sooner there is an End put to them with safety the better.

They have been long in use, and their decrease in Vallue is some indication of the decrease of y^e quantity of silver & gold in y^e plantations, where they are Current; and were there no such paper bills the Traders would be under a necessity of keeping so much silver &c as would answer the purpose of them, & be the medium of Commerce that paper bills now are; and the trader will be under the same necessity at whatever period of time the paper Currency determines, & must have silver or gold or something else to be what these bills are; & should the paper Currency determine before there is silver or gold (which is not easie for us to procure) or something else that will effectually supply its place, the Inhabitants in y^e case, not having money to purchase severall English manufactures, will be under a necessity, or very great Temptation, to attempt these themselves; w^{ch} seemes to make it reasonable to continue

the credit of the bills till something better is to be had instead of them. I mean their Just credit, for, some silver can now, and may for a time to come, be purchas'd by them; & for so much silver as can from time to time be purchas'd by them they should be current & a tender in payments for, in my humble opinion and for no more.

To determine this, the governour and Council of each province where they are current, may meet twice a yeare or oftner, and By the best information they can get, determine what the exchange is, and according to that they should be paid and be a tender in all cases, till y^e next halfe yeare or quarterly meeting in that government; & so from time to time till there shall be an end of them. If men take them at the reall vallue they are only of, from time to time, I do not see how they can be Hurt: But if they should not be made a tender in the severall governments where they are made for something, it seemes to me that all of them, either in the Treasury or hands of private persons, would at once become almost useless paper.

As to what more particularly concerns this Province with regard to the bills made current here, and the reason of making them so, your Lordships may observe from the severall Acts by which they were made that they were made at the earnest request of the people; and the governours consenting to pass them esteem'd a favour conferr'd on them. The first of the Acts made in the year 1723, Intitled an Act for the additionall support of the government, and making current fourty thousand pounds in bills of credit, in the preamble shews that many petitions were made to the then governour by freeholders, merchants and Inhabitants, setting forth that the silver and gold was almost exported,—that New York and Pensilvania had a paper currency with which they pay'd for the produce of this province, w^{ch} was chiefly carry'd to one or other of these places,—that the bills of those provinces were not a Legall tender here, which Expos'd the Inhabitants to numerous and vexatious suites for want of bills in this province to be made by Law a Legall Tender, as is done in the neighbouring Provinces. The Assembly are call'd and mention y^e Inhabitants being forced to cut down their plate and ear rings to pay small taxes (which perhaps might be true, in one or two instances (not forc'd but) done of choice to give a collour for passing of y^e bill) and say they have consider'd the many petitions, and are sencible of their owne knowledge the matters of fact set forth in them are true.

These were the apparent reasons, or rather collours, for passing that Act, and to induce the late King and ministry to allow of it; and whether true or falce shew that it was done at the earnest request of the people: But the Act omits one of the true reasons, if not the sole reason, w^{ch}

Induced the then govern^r to consent unto it, & that was his having £1000 for the doing of it: which farther shews the great desire of the people to have it. Accordingly they humbly prayd that it might be enacted; and it was enacted, and £40,000 in bills of credit made current, and to be lent out as the act directed, and the money arising by it apply'd to y^e support of the government; but the quantum of that support left to be determined by the Governour Councill & Generall Assembly. Every other act whereby Bills of Credit are made current applies the money arising by the Loan of them to the support of the government, but leaves the particular sum to be apply'd to that use to be agreed on by Governour Councill and Assembly.

The governour* who pass'd the first Act in 1723, perhaps believ'd that by his assenting to that act he had secured a certain support for the government, which might have been one inducement to assent to it; and it is not unlikely that the then Assembly might think so too. But late experience shews that the Assemblies think they have the sole disposall of it; for, in what they call their proposall to me to pass the bills they sent up previous to *their granting* a support for the government, and in severall places where they use the word *grant* with relation to the support of the government it plainly appeares that they esteem the power they have, of not agreeing to the support, a power to deny it altogether; or granting it or not as they think fit; & tho by all the Acts by w^{ch} that money is rais'd it is solely apply'd to the support of the government, but in such manner as shall be agreed &c, yet tho it be express that the Governour Councill and Assembly are to agree upon the quantum, yet they will not admit the Councill (much less the Governour) to have any thing to do in agreeing about it:—Pretending it to be a money bill to which they will admit of no amendment & what your Lps have wrote concerning his majesties determining that point in the case in Jamaica, or any thing I have said or I believe can say, has not been or will not prove effectuell to remove their obstinacy: and indeed should they admit the Councill to amend, and obstinately resolve not to agree to the amendments made, be what they will, the case will be the same and they will in effect have still all the power they have assum'd to themselves of granting or not granting a support as they think fit. However reasonable this may be in y^e case of money to be granted by them, yet to me it does not seem so in the case of this kind of money, w^{ch} is already apply'd to the support of government & not given by them, but at their earnest request given to them (& as the acts that make it say) the better to enable them to support the government, and paid into the Treasury for that purpose.

* Governor Burnet.

Your Lps will see the Ill use the Assembly make of the power they have or assume to themselves, by their denying the usuall support of the government, their reasons of doing so appeares by their own votes to be, because I rejected their bills, tho agreed to by the Councill (one of w^{ch} was to make £40,000 in bills of credit) & because the Councill have not assented to bills which they thought essentially necessary, (one of these allso was to make £40,000 in bills of credit) w^{ch} they conciev'd they were influenc'd to do, they do not say by me; but it's plain enough they meant me; and therefore the government is, and is like to continue without support, untill what they require is comply'd wth; and then to have what support they will please to give. The case will be much the same if the bill propos'd to be brought into Parliament pass into a law in the words it is now conciev'd in; & therefore, since there is and will be of this money paid into the treasury sufficient to support the government, and solely appropriated to that use, but which, tho so appropriated, the Assembly will not consent shall be apply'd to that purpose unless both the Councill and governour assent to such bills as the Assembly propose to be made into Laws, tho either Councill or Governour, who are equally Impowred wth the Assembly to make laws, or both, may think such bills if made into laws would be inconvenient or hurtfull to the people, or dangerous and destructive to commerce in generall, or to the British Trade in particular; I say since things are so, and I believe evident to your Lps that they are so here, and may be so in other places, will it be improper in this bill to be brought into Parliament, or perhaps depending in it, to Empower his majestie to apply that money to the use it is rais'd for, and appropriated to, in such manner as he shall think proper, or as he shall please to direct his governour by the advice of his Councill here to do; and that all money rais'd, or to be rais'd, in any of the plantations, either for the support of the government or on any pretext whatsoever, be declared to be given to his majestie & that for the support of government, to be apply'd by his majestie to that use in such manner as he shall think fit; and that for other uses to be apply'd to those uses by warrants drawn by the governour in Councill & not by votes of Assembly, if the uses be such as are not inconsistent with the safety of his majestie's governments or lessening or destructive of his Royall prerogatives and Just authority over them.

The too great and unwarrantable encroachments of Assemblies in more than one of the northern plantations, seemes to make it necessary that a stop some way or other should be put to them, & they reduced to such proper & legall bounds as is consistent with his majestie's Prerogatives and their dependance; to prevent a growing evill which, if time gives

more strength to, may be difficult to cure: and that all his majestie's Governours may be so far made independant on them as that they may freely assent or dissent to Bills propos'd by them or by the Councill and them Jointly, as his majestie Impowers them to do, without the Hazzard of Starving for not complying with proposalls or demands they think unreasonable or are forbidden to comply with. But this is submitted to your Lps better Judgment.—I Intend to call a new Assembly together in the Spring timely enough to provide for the defence of the province. There is a probability of some changes for the better, and that is all, but I doubt much whether it will be so or whether I shall be able to do any thing Effectually to put the Province into a posture of defence. I have allready try'd two Assemblyes on that head without effect, & the second ended with denying a support; what the third will do a little time will discover: If my health will permit me to meet them, which I begin to entertain hopes y^t it will do, tho I am at Present very weak and confin'd to my chamber. I hope that your Lps will excuse the Length of this letter and believe that I am,

My Lords &c

L. M.

To the Board of Trade: and is Intended to go in the Queen of Hungary by way of New York but is not gone yet y^e 22d of Janry. This and y^e papers went by the Queen of Hungary who was taken by the French. A duplicate of y^m went by Mesnard via Philadelphia, who ariv'd but I have heard nothing from the Lps as yet—this 21 of October 1745.

TO THE DUKE OF NEWCASTLE.

*Kingsbury Jan^y 28th 1744**

MAY IT PLEASE YOUR GRACE:—With this comes the minutes of Councill and the votes of the two last Assemblys: Your Grace may see by them y^t all my Endeavours to get an act for the settlement of the militia for the defence of the Province, have hitherto prov'd ineffectuall, and I feare allwaies will do so, while Quakers are admitted to be of the Legislature, it being against their profess'd principles to do any thing of that kind.

When I met them at Amboy on the 18th of August there seem'd reason to believe from the Promises in their address to me, that something might have been done: But the gentlemen did not think themselves

Bound by any thing they thought fit to say at that time; they having nothing in view but to get the Assembly at Burlington under the influence of the Quakers there and in the neighbourhood, w^{ch} they believed the promises they made would induce me (as it did) to consent to.

[Paragraphs follow of similar import to those in letter to Lords of Trade respecting the paper money bill, fee bill, &c.]

Had the bill for making currant £40,000 in bills of credit by sufficient Enacting clauses provided for building a house for the governours residence and places for Holding the Supream Courts, and keeping the records and secretaries office; & what is more necessary, made a certain & undoubted provision for the support of the government during the continuance of the act (without w^{ch} I think no such act should pass) I perhaps might have been induced to have assented to it, with a suspending clause, had the Councill assented to it: tho even then, I should have been cautious of doing it considering the present circumstances of things: & the libertie the Assembly have taken to Print an act pass'd with a suspending clause as a rule for the government of the people, before his majestie had declar'd any thing about it; lest they should have taken the same libertie wth respect to this act and printed the bills of credit, w^{ch} however absurd it seemes to be they were not Incapable of doing.

The Councill's not assenting to their bills Induc'd the Assembly to come to the resolutions above referr'd to: and pretending that their assent was refus'd by reason of some Impropper influence over the Councill against their reall inclinations, thought fit to reduce the support of the government to less than halfe of what was usually allow'd: tho even that usually allow'd was insufficient. There being no provision made for the attendance of the Councill (who are call'd from their habitations remote from my residence) but at the sessions of an Assembly, too scanty a provision for the secretary, clerk of the Councill & Judges, no provision for any messengers or Expresses, wth are sometimes necessary, nor for any Incidentals,—and y^e secretary or myselfe have often paid for messengers and expresses without being repay'd. How propper for me on this occasion to say any t^{ing} wth respect to what was allow'd the govern^r I shall not say: But being less than £600 Sterling per annum & that decreasing as the value of paper money will decrease, Your Grace can Judge whether such a salary, so circumstanced, is suitable to support the dignity of that office his majestie has been graciously pleas'd to Intrust me with.

This reduction of the support of the government the Councill would by no means consent to; as your grace may see by their address, nor was there any likelyhood of the Assembly's departing from Resolutions they were firmly determined to adhere to, unless the bills sent up by them

had y^e assent of y^e Council & myselfe to pass them into Laws. Upon this I dissolv'd them, and the government is at present without any support and not unlikely to continue so unless the Council and myselfe assent to all bills the Assembly propose to be enacted into Laws; That being a Condition sine qua non upon which the government is to have any support, tho the bills they propose for that end should in the opinion of the Council, or Govern^r be Inconvenient or unnecessary, destructive of his majestie's Prerogative, dangerous to the British commerce & our own. Tending to cast off their dependance on the crown, or such as the Governour by Instructions from his majestie is forbidden to assent unto.

This being the condition at Present of this Province, and perhaps of some others of the Plantations, I humbly submit it to his majesties Consideration how proper it is that any of his Governours should be under the hard necessity of assenting to all the bills the Assembly require to be made into Laws or Starving, & not without hopes that some method will be taken to check attempts of this kind before they grow to too great a head and acquire strength by time.

[Paragraphs follow relative to the vacancies in Council similar to those in previous letter to Lords of Trade.]

I intend to meet a new Assembly this Spring, and try a third time whether they can be prevail'd on to do any thing for the defence of the Province; Tho I have but small hopes of success, either with respect to the putting our militia upon such a footing as will make them usefull for our defence: or to prevaile on them to agree to support the government unles as they formerly propos'd previous to their doing so, both y^e Council and myselfe assent that such bills as they send up shall be pass'd into Laws: which by the grace of God I shall not do inconsistent wth my Station and contrary to the trust his majestie has reposed in me: and I believe the Council will not: so that it is not unlikely that all the officers of the government will remain without a support, and the Province in a defenceless condition expos'd to enemies, unless his majestie or a British Parliament interpose and change the present scituation of things.

I am My Lord &c

L. M.

To his Grace the Duke of New Castle one of his Majestie's Principall Secretaries of State.

TO RICHARD PARTRIDGE.

Jan'y 31, 1744-5:

MR PARTRIDGE:—I receiv'd yours by Mesnard who arriv'd about a fortnight since, & I reciev'd a duplicate of it while our Assembly was sitting, but without the printed copy of the bill you sent in your last: tho there were printed coppyes of it sent by somebody, and one of them shewn by one to the members of the Assembly who came to a most Imprudent vote upon it, which they have directed to be transmitted to you; & some members to correspond wth you upon that head. I do not know that there has been any such privileges and concessions granted to this government, or to any other, that any law of that kind (if pass'd would be an encroachment on,) nor do I see how a British Parliament (who undoubtedly can if they think fit take away and abollish any Priviledges and Concessions that they think inconvenient,) can with any propriete of speech be said to encroach; because all encroachments are in their nature suppos'd Illegal which can hardly be said of a British parliament; however Inconvenient the Assembly here may concieve such a bill would prove if pass'd into a Law. I send you with this the representation of the Council here to me on the State of Paper money, and their reasons why they would not assent to a bill to make £40,000 more of it, and to some other bills sent up by Assembly for their concurrence. This was thought to be done by my influence over them; tho' Really I never spoke to one man of them concerning it nor us'd any endeavours with any of them directly or indirectly about it; But the Assembly being much vex'd at the disappointment, gave themselves up to the government of their passions and resolv'd not to support the government as usual; but in such a manner as they knew would never be assented to by the Council.

However necessary or convenient the Assembly might concieve such a bill to be, I believe more moderate persons will think it was very imprudent to attempt any thing of the kind at this Juncture; and more so to deny y^e support of the government because the Council would not give their assent to it: for that will appeare by their votes to be the true reason of denying of it, notwithstanding their pretence of Inability: which is void of truth to support it. As to the bill to be brought into Parliament—Tho the Assembly, or you, might think it Inconvenient or of dangerous consequence that governours should be Injoynd and required to pay strict obedience to such orders and instructions as shall be transmitted to

them by his majestie, or his successors, &c and every act &c made contrary to such orders and instructions to be declared—(void I will suppose at least,) yet I cannot see with what face any of the king's governours or counccills could appeare against an act made to oblige them to pay an obedience to their master's orders, (whatever those under charters may think themselves at liberty to do,) which made it Impropper for the government to give you as their agent any orders or directions concerning it: & I would desire you to observe that the orders of an Assembly now dissolv'd, or of an Assembly not dissolv'd, are not the orders of the government here, whose agent you are; and if the Assembly were in being their orders would only be the orders of one part of the Legislature; whose orders you as agent are not to esteem orders of the government nor to make use of them as such whatever they be. And I add that it would not be amiss both for you and friends in England, to write to your friends here, to diswade them if possible from entering into and persisting in such measures as must make them one day obnoxious to the government at home. I am

Sir your humble Servant L. M.

To M^r Richard Partridge merchant in London—To be left at the Pensilvania or New York Coffy house.

GOVERNOR SHIRLEY TO GOVERNOR MORRIS.

Boston Feb^y 4, 1744-5

SIR:—Since the Departure of the Gentlemen by whom I sent my Dispatches to you referring to the Expedition which we are forming against Cape Breton, I have Advice from Governour Wentworth that the Assembly of New Hampshire have very chearfully determined to join with us, & have voted to raise two hundred & fifty Land Forces for this Service, & that he hopes to persuade them to raise a greater Number. I have likewise Letters from the Gentlemen I sent to Rhode Island, informing me that the People there are much spirited to engage in this Business, and that the Assembly will meet in a day or two to consult on the Affair, and that it looks probable that they will furnish their full Quota of Land Forces for this Service, if not more, as also a private Ship of War of twenty Guns which now lies in their Harbour. I thought it of Importance that your Excellency should be informed of these things, not doubting that you will make a proper Use thereof for exciting an Emulation in your People, & for encouraging them to do their Part to promote his Maj^{ty}'s

Service & the common Interest of these Provinces, which so much depends on the Success of this Enterprize. We are going on in our Preparations, & now beginning our Levies; And I think our People are full of Spirit: And with Dependence upon the Blessing of Providence I hope for a prosperous Event.

I am, Sir, your Excellency's most Humble and most Obedient servant
W SHIRLEY.

His Excellency Lewis Morris Esq^r.

GOVERNOR THOMAS TO GOVERNOR MORRIS.

Philad^a Feb^r 12th 1744-5

SIR:—I had this day the honour of your Letter & of Gov^r Shirley's Dispatches by Your Express. The Design is so far from being a Secret here, that the Town was informed of it a week ago by the Master of a Sloop who made his escape from the Embargo at Boston. What N. England may be able to do with its own Forces I cannot say; but their dependence upon Men of War from the Islands, who are undoubtedly under orders for the protection of the Sugar Colonys, upon the uncertain arrival of two Men of War from England, and upon Privateers & Land Forces from these Colonys by the next month, appears to me extremely wild. I heartily wish the Attempt may be attended with Success; but I dare say Pennsylvania will not come in for any share of the honour of it. I am determined however to call the Assembly and to recommend the Affair to them in the strongest Terms. I am Sir

Y^r most obed^t humb^le Serv^t.

GEO. THOMAS.

Gov^r Morris.

GOVERNOR MORRIS TO GOVERNOR SHIRLEY.

*Kingsbury feb 20 1744**

SIR:—I had the honour of yours of Jan^y 29th with the packet to Govrn^r Thomas, & which I sent by Express to M^r Thomas about an hour after I recie'd them; and should have answer'd yours by the last post but the rider went on in the night before the usuall time, & y^r opportunity was lost.

I heartily wish the success may answer the Expectation and hopes conciev'd of the Intended attempt,* which I shall use all Endeavours in my power to Promote ; but I feare there is nothing to be expected from Jersey or Pensylvania on that head, or any thing like it. Our Assembly at Present is not in being ; but I have Issued writs to call them together on y^e 28th of March, at which time if my health permits, I shall meet them & recommend the thing to them. I have attempted in two Assemblies pass'd, to get a bill for the settlement of the militia for our owne defence, but without success. The people call'd Quakers who are in our Assembly, and chiefly influence there, will by no meanes be prevail'd to come into it ; and if they will not do any thing for their owne defence, you may easily Judge how unlikely it is they will do any thing in this case. There is an odd entry made by them in the Journalls of the Assembly in Q Anne's time which was done at the desire of a Quaker in behalfe of himselfe and other Quakers then members of the house in the following words viz. The members of this house being of the "people call'd Quakers have allwaies been and still are for raising of "money for the support of her Majestie's Government ; but to raise "money for raising of soldiers is against their religious principles ; & for "conscience cannot agree thereto." This principle of conscience whether reall or pretended (tho contrary to the principles of naturall reason and Religion) they tenaciously pretend to adhere to ; which renders those that are willing to act otherwise, incapable of doing any thing that way : By w^{ch} both Pensilvania & this Province are too much expos'd to any Enemy that shall be dispos'd to make any attempt upon us ; & I have heard the Governour of Pensilvania say, that should an Enemy land in y^e Province wth 2000 men, he believes above 10,000 men there would Joyne them. This is of so dangerous Consequence to all our northern Plantations that I should think it not unworthy their thought, and Joyning in a representation to the Crown concerning them, to Prevent (if Possible) those people from being members of the Legislature anywhere ; whose being so is and may be attended wth Consequences so dangerous to North America. I send you inclos'd the representation of the Council here to me ; & a letter to the board of trade w^{ch} last I Intreat you would send by the first Safe opportunity from your parts : My letters to them & the secretary of State being put on board a ship that is to go from New York which will not saile so soon as expected. I shall readily do the like for you when I have occasion, and am wth great regard, Sir, &c.

L. M.

To W^m Shirley Esqr Govern^r of Boston &c.

* The Expedition against Louisburgh.

TO GOVERNOR SHIRLEY.

Kingsbury Feb'y 22^d 1744-5

SIR:—I reciev'd yours of the 4th Instant before the closing of my letter. I am heartily glad the Expedition has so promising a prospect, and wish every body may Joine in an affaire which if successfull will be of so much advantage to all the northern settlements. I shall heartily recommend and should be glad to say the people I have to deale with gave me but tolerable hopes of success. Coll^o Thomas tells me y^e a weeke before he reciev'd yours by the Express the Expedition was no secret there; being discovered by a vessell that left Boston notwithstanding the Embargo, it is now publick every where and I feare the French will get notice of it by way of Albany. I am sir Yours L. M.

To Governour Shirley.

GOVERNOR CLINTON TO GOVERNOR MORRIS.

New York 12th April 1745

SIR:—I am in great haste at present dispatching away an express I received last night from Comm^o Knowles to Comm^o Warren giving advice of the arrival at Martinico a Considerable Naval & Land Force from France of 80, 70 & 60 Guns Ships. M^r Knowles, through Hurry I suppose, not having wrote upon the occasion to any of the Governors on the Continent, I have thought it proper with the advice of y^e Councill to open M^r Warren's packet. I think it high time we all look about us. I shall write more fully very soon and am Sir

Your Excell'y Most Ob'dnt & humble Servant

G CLINTON.

To His Excellency Governor Morris.

GOVERNOR CLINTON TO GOVERNOR MORRIS.

New York 13th April 1745

SIR:—I have just receiv'd an Authentic Account from the West Indies, of the Arrival of the Chevalier de Carlus at Martinique, with Seven Sail of ships of War, Two of 74 Guns, two of 64, two of 56 and a Frigate of 36 Guns, with upwards of 20 Sail of Transports, and 3600 Troops, with

an Intent to make an Attack on some of the British Islands there; and as I find the Intelligence of the Expedition now Carrying on ag^t Cape Breton, is generally spread in those Parts, It is very probable that French Commander will not be long without the account, which I apprehend may divert the thoughts of his Original Intention, to come to the Defence of that Place; and in Case the English Forces should be Defeated, It highly behoves all the Governments upon this Continent to consider well what may be the Consequence of such an Event: I have therefore thought it necessary to give you this Information, that you may be upon your Guard, and in readiness, not only to Defend yourselves; but to assist your Neighbours with your utmost Force, both by Sea and Land, in Case of Need. I am Sir

Your most obedient humble Servant

G CLINTON.

His Excy Lewis Morris Esq^r.

The writs issued for the election of a new Assembly, called for its meeting at Perth Amboy on the 28th March, 1745, but, for want of a sufficient number of members in attendance, it was not until the 4th April that the House was organized.

The election had resulted in the return of the following gentlemen:

- For *Perth Amboy*—Samuel Nevill, Pontius Stelle.*
- “ *Middlesex county*—John Heard,* John Morris.*†
- “ *Monmouth county*—John Eaton, Robert Lawrence.
- “ *Essex county*—John Crane, John Low.*
- “ *Somerset county*—J. Van Middleswart, Hendrick Fisher.*
- “ *Bergen county*—L. Van Buskirk, David Demarest.
- “ *Burlington*—Richard Smith, Daniel Smith.*
- “ *Burlington county*—William Cook, Samuel Wright.*
- “ *Gloucester county*—Joseph Cooper, Ebenezer Hopkins.*
- “ *Salem county*—William Hancock, John Brick, Jr.*
- “ *Cape May county*—Aaron Leaming, Jr.,* Jacob Spicer.
- “ *Hunterdon county*—William Mott, Daniel Doughty.

Samuel Nevill was again elected speaker.

* New Members. † Thomas Farmar succeeded him on his death in August.

Ten of the twenty-four were new members, a larger number than had been returned at any previous election; and the changes, with few exceptions, were unfavorable to the maintenance of the governor's views. His speech was not received until April 9th. It was a long and labored review of the course of the previous Assembly, with a presentation of the same arguments, in much the same language as in former communications, to prove them wrong. It was scarcely possible that more offensive terms could be used than had been previously employed, in designating the members and in commenting upon their actions; yet the governor appears to have sedulously endeavored, under the plea that he was addressing a new Assembly, to bestow upon those of its members who had also been of the last, the most unqualified abuse. Hoping nothing from their proceedings, he probably thought he could have the satisfaction, at least, of expressing the contempt he felt for them.

He noticed, at considerable length, the complaint made against his son's filling the office of chief justice while acting as one of the Council; showing from the practice in England and in New Jersey, as well as in the neighboring colonies from the first establishment of their governments, that it never had been conceived inconsistent with a proper execution of the duties of either station. He had himself, while a judge in New York, been a member of the Assembly there; and Judge Bonnel had voted in a previous Assembly in New Jersey. It was strange that this incompatibility or inconsistency should never be discovered either in England or America, till hit upon by the late "sagacious Assembly." By an act passed in Queen Anne's reign, it was enacted that no judge should sit in judg-

ment in a superior court on any cause which he had adjudicated in a court below, under a penalty; and this would guard against the evils which they seemed to apprehend as likely to arise from the union of the two offices in the same individual.

He brought no new measures to their notice, and gave them distinctly to understand that he would not assent to any bill passed by the Assembly unless approved by the Council;* and not even then if he thought such bill not very necessary, unless sufficient provision should be made previously for the support of the government.

The consideration of this speech occupied the House for some days, and it was not until the 18th April that an answer was adopted. In the mean while a bill for the support of government had been reported, and on the 18th one passed for the regulation of the militia.

The committee appointed to draft the address consisted of Messrs. Rich'd Smith, Cook, Lawrence, Low, and Stelle, but which of them was its author does not appear. It was a temperate response to the violent harangue of the governor, in which they discussed the impropriety of making the controversies with previous Assemblies the subject of animadversion and comment in a communication to a new one; expressing their belief that neither the king nor their country expected that they were to be called together to enter into such unnecessary disputes. While they denounced the injustice and impropriety of considering the members of any of the New Jersey Assemblies as idiots—to which the governor had not hesitated to liken them—

* As his assent would only be asked to bills that had passed both Houses, it was scarcely necessary to give them this assurance.

they confessed that the Assemblies generally had been composed of farmers and ploughmen, from whom could hardly be expected such courtly addresses or explicit reasoning as "men of more polite education, and perhaps less sincerity, might be capable of."

With more dignity than was ordinarily manifested in those days, they say—"We have liberty by our constitution to act freely and speak freely, while we do it with decency and good manners. * * * This valuable privilege we esteem so essentially necessary to a free government, that the security of property and freedom of speech always go together. We are of a nation favored for its liberty. With liberty, knowledge will increase; and although but a small portion of it may fall to our share, with that we are as happy as we are content, and by it we are taught that we are as fit to use our own understandings in the conducting our human affairs, as they are whose reasoning we cannot be convinced is better than our own."

The Assembly expressed their determination to apply such portion of the money in the treasury to the support of the government as they should deem necessary; giving the constantly decreasing amount of interest received from the diminished amount of bills of credit outstanding, as the reason for a reduction in the appropriations. The announcement he had made of the terms upon which he would assent to their bills would prevent their proposing such as they should think very necessary, deferring them to some more favorable opportunity when reason and argument might have greater influence. In ten months the governor had met three Assemblies, so that they had learnt rather to expect dissolutions than laws.

In connection with the presentation of this address

a circumstance of an unusual character occurred. On being notified that the House was ready to wait upon him with the address, the governor sent for the speaker and wished to see the document before it should be presented; but was informed that the House had ordered the address to be entered on their minutes, and that they "did not incline the original should go out of the hands of the speaker till it was presented." The governor consequently waited until the minutes were printed before he named a time for the presentation; and it did not take place until the 2d May*—when the House was prorogued for five days.

In the mean time a bill for the support of the government was passed, the compensation of the governor being £500, only four members voting for £1000—(Messrs. Stelle, Heard, Morris, and Fisher)—and some time bestowed upon the consideration of the scheme of the expedition against Louisburgh, referred to in the foregoing despatches. The Assembly deemed it too late to offer any co-operation in making the attack, and especially as it was thought by Governor Shirley that assistance to be effectual must be by sea:—not a single brigantine or sloop, of the few fit for sea belonging to the province, being in a condition to be serviceable in time of war. Moreover, they deemed it prudent not to be too hasty in sanctioning an undertaking

* In a letter from Robert Hunter Morris in the Rutherford Collection, dated April 30, 1745, he expresses his regret that there are not more moderate men in the Assembly, and adds: "They have agreed on an address in answer to the governor's speech, which contains many things that I think had better been left out. This address has not yet been delivered in form, and

the governor is busy in preparing an answer to it, upon the wording of which the members say much will depend."

In a letter to the speaker, dated 11th May, the governor took exceptions to the course of the Assembly in ordering their address printed before it was delivered—which he deemed an unprecedented procedure.

so hazardous, until the same should be approved of by his Majesty or his Ministers; and as there was a French fleet in the West Indies, it was proper that attention should be paid to warding off danger from their own shores. They could, therefore, only bestow good wishes until either the conquest of the place, or the receipt of the approval of the king, might render it proper for the House to reconsider the affair and provide ways and means for assistance or relief. On reassembling on the 7th May, the Assembly did not enter upon any business, waiting for the governor's response to their address, which was not received until the thirteenth. The time devoted to its preparation added to its length if not to the force of its arguments, which were of the same character as he had so often before advanced.* No disposition was evinced, as indeed none could have been expected, to swerve from the course he had marked out for himself and them. "Assemblies had not been so unacquainted with the weak side of human nature as not to induce governors to do what they should not have done, by denying to support the government, or by giving large sums as a reward for imaginary services." And although some governors, "who were made of the same materials

* These long arguments of the governor are illustrations of the truth of Cadwallader Colden's remark, contained in a letter to James Alexander, dated July 13th, 1729, in the Rutherford Collection. Alluding to some document from the pen of Lewis Morris, Jr., he says: "I think it the fault of the Morris family that they exhaust the subject they treat on. Insisting on small arguments when the strong or great are sufficient, weakens the cause instead of strengthening it, be-

cause it takes off the attention; and using any one weak argument is a great prejudice because, when a mistake or sophism is once discovered, it gives a jealousy and suspicion of all the rest; so that I should never use any but the most evident arguments, when we have enough of them, in the plainest dress they can be put in, because when art is discovered people endeavor to undo it and to pull it to pieces."

with other men," may not have been unsusceptible of impressions made that way, and "thought it more expedient to run the hazard of breaking their instructions than to starve by a close adherence to them," he was not to be classed with them. The single aim of the document was to convince the representatives that they were wrong: nothing was suggested calculated to conciliate, nor any measures proposed for the public benefit.

Ordering the message to be spread upon their minutes, the Assembly met and adjourned from day to day without transacting any business until the 18th, when a committee was appointed to wait upon his Excellency "at Trenton or elsewhere within this colony"—and inform him that in "the late Convention"—meaning the time anterior to the prorogation on the 2d May—they had gone through what public business his speech had encouraged them to transact, but which his prorogation had made void; and that if he had nothing further to recommend they hoped he would be pleased to dismiss them, as they were unconvinced of any part of their conduct being such as to justly deserve the treatment they received.

The daily sessions continued; and on the 22d the committee reported that they had waited upon the governor at Kingsbury, and that he had expressed to them his expectation that the House would have proceeded upon the business recommended to them in his speech at the previous sitting: and the next day, being summoned to attend at his lodgings, the governor in person replied to their message—"extraordinary" as he termed it, which, from its delivery being directed wherever he might be found, was an appellation might well be applied to it.

They could not call in question his right to prorogue them whenever he thought proper, and his doing so had given them an opportunity to rectify any mistakes they may have committed, which he hoped they would do; for the prorogation having caused all legislation to fall through, all things remained as they were at the commencement of the session; and consequently whatever had been recommended by him, or was called for by the condition of the province, was still before them. He had nothing further to recommend, and hoped that any bill thought necessary or beneficial to the public might be so framed by them and the Council as to meet his approval.

On the 24th the following despatches were laid before them:

GOVERNOR SHIRLEY TO GOVERNOR MORRIS.

Boston May 18th 1745.

SIR:—I am Oblig'd once more to make Application to you for the Assistance of your Government in the immediate raising of some Troops for Supporting the Expedition against Cape Breton: which the General of our Land Forces, & the Commodore of the Fleet have represented to me very necessary for the Reduction of the place: How far Providence has hitherto favoured us in this Attempt and what Encouragement we have to proceed in it you will find by the Enclos'd Copy of a Letter I have just now Receiv'd from the General of our Forces: And as I am Inform'd it is pretended to Colour the Backwardness in some of the Colonies & Provinces to Join with us in this Enterprize, that the undertaking of it without His Majesty's Express Orders would be so far from recommending us to his favour, that it would rather incur his Displeasure I am now able to remove that Objection & acquaint your Excellency that upon my Letter to his Grace the Duke of New Castle informing him of our Resolution to undertake this Affair & how far we had proceeded therein (which Letters were laid before his Majesty) His Majesty & his Ministers were pleased so far to manifest their Approbation of our Undertaking that without the least Loss of Time two Ships of War were Ordered

to proceed directly to Louisbourg to Support us herein : as they had before upon my more general Intimation of a design of this Nature, Ordered Commodore Warren to come from the West Indies & attend this Service, who is now before Louisbourg with Five of His Majestys Ships of War, & will in a few days be Joined with two others of His Majestys Ships of War one of Sixty & the other of Forty Guns which are already Sailed from hence upon that Service : And I am fully assured that His Majesty has the Success of this Expedition much at heart. And now Sir, as this Province has (in Conjunction with the Province of New Hampshire & the Colony of Connecticut) at an immense Charge undertaken this Expedition & so far proceeded therein under the favourable Aspect of Divine Providence, and the gracious Approbation & Assistance of His Majesty, I must desire that your Government would maturely Consider how great a Benefit the Acquisition of this place will be to the future Safety & Tranquility of all these Northern Colonies ; And how justly His Majesty may Resent a Refusal of any of 'em to Join in the common Cause and how much such Government may hereafter Regret their unseasonable Frugality, if by denying at this Crisis to Contribute their just Quota for the Carrying on & Support of this Expedition, which is now brought so near to an happy Event, they should prove the means of its fatal Miscarriage : This Representation of the State of our Case my Duty to His Majesty obliges me to make : And I must earnestly press your Government to give it a full Consideration & Send me a Speedy Answer as to their Resolutions thereupon. I am Sir,

Your Excellency's most obedient & humble Serv^t

W SHIRLEY.

His Excellency Lewis Morris Esq^r.

P. S. I must desire the favour of your Excellency to forward by Express to Gov^r Thomas, the Letter directed to him.

GENERAL PEPPEREL TO GOVERNOR SHIRLEY.

MAY IT PLEASE YOUR EXCELLENCY :—The Letter herewith inclosed Contains an Account of the State of the Army during Our Stay at Canso : since which a more agreeable Scene has Opened, I have now the pleasure to Inform your Excellency that on the 29th ult^o We Set sail from thence with hopes of reaching Chapperaugge Bay that night but the Wind failing rendred it impossible, and Obliged us to lay aside the thoughts of a Surprise : the next Morning about Eight a Clock We were off the

Mouth of the Bay, upon which the Enemy made an Alarm by firing off a Number of their Cannon. We came to Anchor with all Expedition & thò it was a difficult time determin'd immediately to Land the Troops under Cover of Fletcher's, Bosch's, & Sanders' Guns. A Party of about 150 of the Enemy Sally'd out to annoy our Landing who were well receiv'd by the Boats first on Shoar, who kill'd Six or Seven, and took as many prisoners (among whom were some persons of Distinction) without any Loss on our side, & one or two slightly wounded, the Enemy soon retreating to the Garrison. We Landed about 2000 Men the first day, during which time the Enemy burnt a Number of Houses between the Town & Grand Battery & sunk some Vessels in the Harbour; the next day Landed the remainder of the Troops, & proceeded to put the Army into a proper Disposition for such Operation as should be found most Expedient.

Next morning found that the Enemy had deserted the Grand Battery in a very precipitate manner, having Spik'd up the Guns but left the Trunnions on & many of the Carriages whole, and a Quantity of Shot, upon which immediately Ordered a Regiment there, the Union Flagg to be hoisted, & Workmen to drill the Cannon, who soon got several of them Clear'd & turn'd them on the Town with good Success, almost every Shot lodging within the Town, and a Considerable Number, among which was the 3^d 4th & 5th, fell into the Roof of the Citadel: We have now got about 20 of them ready for Service four only of which can bring to bear upon the Town, most of the others command the mouth of the Harbour, hope soon to get the whole Number drill'd which will be Twenty five 42 pounders & two 18 pounders, three of the 42 pounders being split; cannot Conceive of any Reason why the Enemy should desert so fine a Fortification but extream want of Men, the enemy return our Fire from thence with some Cannon & more Bombs some of which have shatter'd part of the Wall & Buildings but hurt none of our men.

The Landing & Transporting of the Artillery & Stores prove very difficult, have got the small Mortars & Cohorns to a hill about Four hundred Yards distant from the Town, and the large one to another Hill near that, from w^{ch} have thrown some Bombs into the Town, but the Bed of the large one on which our chief Dependence is, has twice given way & put us to Difficulty; the Enemy have twice Sally'd out towards that Battery but were Repuls'd by the Detachment posted for the Security thereof without loss on our side, & only one man wounded, but by some Cannon they have turn'd upon it from the Town, we have had one Man kill'd & 2 or 3 wounded. We have also thrown up a Fascine Battery at the West Part of the Town where Expect this Night to have mounted

the Eight 22 pounders. On the 7th inst. by Advice of the Council, at which had the pleasure of Commodore Warren's presence, A Summons was sent in to the Commanding Officer at Louisbourg, Copy of which with the Answer have Inclos'd: Upon which determin'd to proceed in the most vigorous manner, and to Attack the Island Battery in Boats the first favourable Opportunity, to the Assistance of which Commodore Warren offer'd to send a Number of his Sailors & Marines, but as yet have not had Opportunity to prosecute it,—I had the pleasure of meeting with Commodore Warren on my passage to Chapperauge bay who assured me of his readiness to Contribute to his utmost in any Shape for the Good of the Expedition, & Since our Landing he has been so good as to come on Shoar with the kindest offers of the same which are very Acceptable & Engaging. Yesterday I rec^d your Excellency's Letters of 10th & 22^d Ult^o by Express from Canso, Capt Bradford being detain'd there by the Loss of his Boom; delivered to Comodore Warren his Inclosed Packets: what relates to that Gent^{le} in your Excellencys Letters is perfectly agreeable to me. I shall upon all Occasions be fond of the Assistance & Advice of a Gent^{le} whose generous Attachment to the Welfare of the Colonies in general, & this Expedition in special, added to his well known personal Merits in his active & successful Service of our Nation, Entitles him to the highest Esteem & Regard from every well wisher to New England. I had before the receipt of yours wrote to Cap^t Tyng that he should with the Vessels under his Direction wait upon the Commodore for his Orders & strictly to observe the same. Have Acquainted him of your Orders to me relating to sending Smethurst to New England. I make no doubt of his Majesty's and the Ministry's intire Approbation of your Excellency's Conduct in setting on foot this Expedition, and that they will Support it, but hope we may Accomplish our Design without waiting for any Additional Force from thence. I imagine it would be fruitless to Send to Annapolis for any part of their Strength at a time when they may Apprehend themselves in danger of a Seige. Col^o Moulton has Join'd us with the Detachment sent to S^t Peters, having destroy'd that Settlement taking some plunder & prisoners, burnt four Schooners, & brought off one; he lost one man & had one wounded, the greatest part of the Inhabitants made their Escape. Have also Advice from Cap^t Donahew of his return with Becket from the Bay Vert, in going up the Gutt he met with a party of Indians, upon which Cap^t Jacques & Staniford with their Companys going on shore, thò contrary to orders, the former had the Misfortune to be killed, and the other wounded, the Indians were beat off without other Loss on our part; In the Bay of Vert he took two small Vessels that were empty, the others were hall'd up where he could not

come at them, he burnt a considerable Number of Houses & Birch Canoes but was not so fortunate as to meet with any further Success.—I find Chapperauge Bay a fine Harbour for the Transports, which have Order'd to remain there under the care of Cap' Saunders, should have Dispatcht a Vessel to your Excellency immediately upon our Success at the Grand Battery, but the Wind has proved contrary and I was in hopes of being able to give your Excellency an Account of some Addition to our Acquisitions.

By Advice of the Council this day, have Determin'd to Incamp in a regular manner near the Northeast Harbour & throw up a Battery there, and mount the New York train of Artillery & some of the Guns from the Grand Battery, and to leave one Regiment at the Grand Battery to Support & repair it, which may soon be done in such a manner that 200 men will Defend it against 2,000. And with that and the other Battery propos'd, Imagine that We may Command the Harbour against Any thing that will Attempt to get in, & by posting two Regiments to protect the Battery on the West side, & Intercept any Recruits getting in by Land, We shall intirely cutt off any Communication with the Town. As it has been Judg'd Adviseable not to Attempt the Storming of the Town at present, and as a Considerable Reinforcement may be daily Expected by the Enemy from Canada as well as Force from France, which it is possible may find means to get in, I am Advis'd by the Council to move to your Excellency the Sending us a Reinforcement of a Thousand Men, also another large Mortar & a number of Shells, & a spare Bed for the large Mortar; shall send up fourteen Transports under Convoy of Cap' Smethurst for that purpose, & by him & them shall send up the Prisoners, a List of which have Inclosed: am much Oblig'd to your Excellency for your Care in regard to us. I have just rec'd yours of the 23^d which Cap' Donahew brought down from Canso, by whom am Informed that five of the Vessels with Provisions for the Army are arrived there, having narrowly Escaped the French Ship that has been upon the Coast sometime who had Oblig'd one of them to Strike, which afterwards Escaped by meeting with Rouse, who to prevent the Transports falling into the Enemy's hands gave the Ship Opportunity to Chase him, by which means those of them got safe to Canso. Am fearful that one or both the other are taken, the French Ship having made Use of our Signals for a Decoy; have not yet heard further of Rouse; hope Cap' Cutter will be able to give you a good Account of him by this Opportunity; have desired Commodore Warren to send up a Convoy to Canso to bring down the Provision Vessels there: Shall write your Excellency again by Cap' Smethurst, whom I expect

will be here very soon, in the mean time must pray that Multiplicity of Business may Excuse what is wanting in this. I am, with all Duty,
Your Excellency's most Obedient humble Serv^t

WILLIAM PEPPERELL.

Camp before Louisbourg May 12th 1745.

I have had great Satisfaction in the Conduct & Vigilance of the Gen^l Officers & Col^l Bradstreet & hope all the others will merit the Thanks of their Country. There was a Scout contrary to Orders Stragled, & Eighteen of them was kill'd. There is near two hundred of our Soldiers taken sick since the Inclosed List was taken.

His Excellency Governour Shirley.

Copy, Examined p^r J WILLARD, Sec^y.

ADMIRAL WARREN TO GOVERNOR MORRIS.

{ *Superbe in Chapeau Rouge Bay near*
 { *Louisbourg the 12th May 1745*

SIR:—I take the Liberty to acquaint you that the New England Troops have taken possession of the Enemy's most considerable Batterys at Louisbourg, which gives them the Command of the Harbour, and they have now carried their Approaches so near by land that the City is Blockaded and its Communication by land and sea entirely cut off, and that before the arrival of any Ship to their relief from any part of the world, except one small one, laden with Wine and Brandy.

I persuade myself (as the reduction of so valuable a Garrison and Territory to His Majesty's Obedience, would give him and all his Subjects the highest pleasure as well as the greatest advantage) you will use your good offices with the other branches of your Legislature, to send such a number of men and provisions as you can procure, to our assistance with the greatest dispatch, that we may be enabled to withstand any force the Enemy may send to the relief of this Garrison.

I have wrote Circular letters to this purpose to all the American Governors, which I am Impowered to do by Vertue of my Instructions from the Lords Commissioners of the Admiralty,* directing me upon such an occasion to apply to the Neighbouring Governments for the above

* See No. 50 of "Morris Papers," in Hist. Soc. Lib.

mentioned Succours, and acquainting me that the Duke of New-Castle had sent proper Instructions for the purpose to the respective Governors on the Continent.

If there be any Ships of War with you, that can possibly be dispensed with from the service they may be employed on, they should Joyn me.

I hope you'l pardon this inaccurate Scrawl in haste from Sir,

Y^r Excellency's most Obedient humble Servant

P WARREN.

Lewis Morris Esqr.

These despatches at once received the favorable consideration of the Assembly, notwithstanding the doubts of the governor as expressed in the following letter.

GOVERNOR MORRIS TO GOVERNOR CLINTON.

Amboy 24th May 1745 about 11 forenoon

SIR:—I Just now reciev'd your Excellency's with the packets from Governour Shirley to Gover^r Thomas and myselfe. I have sent an Express with Thomases to him & I sent that to me to our Assembly, but they were rose before the secretary came and meet againe this afternoone when what is wrote shall be laid before them; & I wish I had reason to believe it would be with better success than what has allready been communicated to them on that head: but I doubt whether any thing is to be expected from an Assembly who are the greatest part of them Quakers with whom I have to do.

I am Sir, &c

L. M.

To his Excellency George Clinton.

TO GOVERNOR SHIRLEY.

Amboy May 24th 1745

SIR:—I this day reciev'd your Excell^t wth y^e Coppy of one from General Peperell to you from the Camp before Louisburgh of the 12th currant, and also one from Commodore Warren from Chapeau-rouge bay. I did Immediately communicate them to our Assembly, who were

then sitting, and notwithstanding their former resolutions which are herewith Inclos'd, by which it will appear what frivolous pretences they made use of as reasons for their not doing any thing required of them on that head, yet I have now the satisfaction of telling you that this day upon communicating to them the above letters they came "unanimously to the resolution of preparing a bill for applying immediately the sum of two thousand pounds of the Interest money now in the treasury for his majesties service, to be transmitted to his Excellency Governour Shirley in provisions for the use of his majesties subjects now at Cape Breton, and ordered that Mess^{rs} Eaton, Lawrence, Low, Spicer and Heard be a Committee to prepare and bring a bill accordingly.

I sent your dispatches this day by Express to Govern^r Thomas, who I suppose will summons the Assembly there together, and I hope what we have done will induce them to depart from their former resolutions; and as they are much more able, contribute more largely to an Enterprise which, if successfull, will be attended with the good consequences naturally arising from it to all the Northern Colonies.

I am Sir, &c

L. M.

To his Excellency William Shirley Govern^r of Boston.

TO COMMODORE WARREN.

Amboy May y^e 24th 1745

SIR:—I this day reciev'd yours of the 12 from Chapeau-rouge bay, and our Assembly being then sitting, communicated both y^e and the letters from Governour Shirley and Generall Pepperell to them, upon w^{ch} they Immediately and unanimously came to y^e resolution of applying 2000 pounds of the money in the treasury to purchase provisions to send to Governour Shirley for the use of the forces before Louisbourg. I confess it was what I did not expect from them, because, for frivolous reasons, they had on my recommending this affair to them some time since declin'd the doing any thing in it. I sent by Express this day the packets sent to Governour Thomas and hope what is done here may Induce the Quakers in Pensilvania to do something more, because they are much more able than we are. We have no ships of war in these parts; should any come I shall communicate your letter to them; nor have we any Vessells to transport men, w^{ch} I believe will make the raising of any thought Impracticable. I have reciev'd no letters from the Secretary of State on the head you mention, but I believe from what you say they

may be expected by the first conveyance; and I hope all the Northern Colonies will heartily and effectually Joine in supporting an Enterprise w^{ch} I hope will be successfull; and the next letters will bring the account of our being masters of the Place.

I am, wth great regard Sir, &c

L. MORRIS.

To the Hon^{ble} Commodore Peter Warren Esq, in his Majestie's Ship Superbe at Louisbourg.

The bill for applying the two thousand pounds for his Majesty's service, alluded to by the governor, was passed on the 28th and sent to the Council for their concurrence, and received the governor's assent on the 1st June.

A committee was appointed by the House on the 28th to wait upon the governor and acquaint him that they desired to be excused from making a reply to his answer to their address, for sundry reasons which they state and proceed to enforce, rather inconsistently but with considerable point. The example of discussing the business of a former session would be injurious, and they would discountenance tedious and extensive replies and rejoinders. Moreover, the publication of the document would enable the people of the province to judge for themselves of the correctness of the governor's views, particularly in reference to the bill introduced into Parliament—referred to in foregoing despatches—which the neighboring colonies had instructed their agents to oppose as destructive of their rights and liberties. They could not, however, omit giving to some of the advice and allusions of the governor an application not originally intended—regretting that they had not had the illustrious example of his Excellency, in that most agreeable proposition of 'regarding the things that belonged to their peace before they were

hid from their eyes. Experience had taught them that the principle inculcated was practicable, and therefore they would not reply. It was as impossible for them to have complied with the governor's expectations "as it was for the Israelites to have made bricks without straw." Conceiving themselves to have been ill treated by having their legislation rendered null and void, while no encouragement was held out to them to go over the ground again, yet they were anxious to accommodate matters; and frankly assured the governor they were now willing to reenact the bills which had been lost by the prorogation, and, on obtaining assurance that certain Acts necessary to enable the colony to bear the additional expense would be sanctioned, they would be willing to assent to a larger support than they had felt authorized to afford the government. These, in answer to an enquiry made by the governor, were, on the 30th, stated to be the Act making current the forty thousand pounds in bills of credit—the Act obliging the sheriffs to give security—and that preventing any action under fifteen pounds being brought in the Supreme Court: the two last had been passed by the previous Assembly—and the colony had suffered for the want of all three.

On the 1st June the governor responded — at length, as usual. The assurance they desired he knew not where they could obtain. He could not give it, for the Council's consent might not be given, and neither his approval nor that of the Council would avail, for the king might, and probably would, withhold his assent. The true state of the case was, that they were determined not to support the government unless the forty thousand pounds bill could be obtained. That was the sole difference between them, and his not

being able to assure them of its passing the ordeal of the Council and the government at home, the true "discouragement" of which they complained.

The speaker was directed to adjourn the House from time to time until he should hear further from the governor: and thus closed a session of nearly two months' continuance.

GOVERNOR SHIRLEY TO GOVERNOR MORRIS.

Boston 15th June 1745.

SIR :—I have just now received Letters from General Pepperell & Commodore Warren, by which I learn that altho' We have suffer'd some Loss of men (between 100 & 200) in an Attack of the Island Battery, which miscarried, yet that We have Obtained considerable Advantages against the Enemy in taking Several of their provision Vessels, and Worsting them in some Skirmishes our parties have had with them, & by the Intelligence they have rec^d from Prisoners, (which is Confirmed by other Circumstances,) the Enemy are short of provisions and Ammunition, but as the number of our men there are not equal to the Greatness of the Enterprize, & therefore the Duty is so heavy on the Officers & Soldiers they press importunately for at least three thousand Land Troops as absolutely necessary to Reinforce them, & a considerable number of Seamen for manning out the ship Vigilant; But altho the Land & Sea Forces need these Recruits, yet I still find the Officers full of Expectations of a happy Issue of this Affair by the Reduction of Louisbourg, and as the Success thereof is of the utmost Consequence to the best Interests of these provinces, and which (as I find by Letters Commodore Warren has rec^d from the Ministry) His Majesty and his Ministers have much at heart, I must therefore with great Earnestness press your Excellency to have as many Soldiers & Seamen rais'd in your Province as can possibly be Spared, and that without the least delay; And I do assure you that I find the Assembly here well Spirited to Support the Expedition to their utmost, and that they will do all that they can to furnish the necessary Recruits, but it is not possible nor can be Expected that we should answer these Demands of Recruits without very great Assistance from our Neighbours.

Though Provisions will be wanted yet men much more, and there-

fore I must press you most for Troops, and if you have any good experienced Gunners, I must pray you would Send as many of them as you can and that without delay.

It will be of great Consequence that I hear speedily from you for the Encouragement of our Friends at Cape Breton. I am with great regard & Esteem Sir,

Your Excellency's most obedient & most humble Servant

W SHIRLEY.

His Excellency Lewis Morris Esq^r.

The foregoing was wrote before I had receiv'd your Excellency's favour by the last post, for w^{ch} I am obliged to you——If it is possible for you to work upon your Assembly to raise some Men at this Critical Con-juncture for the service of his Maj^y and the Interests of their own province, in common with those of the neighbouring Governments, such forces would not come too late to assist either in taking or keeping of Louisburge, and would be of exceeding great service. W. S.

JOHN CATHERWOOD, SECRETARY TO GOVERNOR CLINTON, TO
GOVERNOR MORRIS.

June 16 1745

SIR:—His Exc^y being much indisposed, desires me to tell you that Gen^l Shirley has applied to him in a very Strong manner for provisions to maintain the Troops at Louisbourg; for which service he has shipped a considerable quantity already, but now finds a Scarcity in this Province from the frequent Exportations to the Dutch Settlements, and is of opinion that an Embargo should be laid on for a while to prevent it, provided it might be agreeable to the Circumstances of your Government & Pennsylvania: to which End I have wrote to Gov^r Thomas. I am with great Respect Sir,

Your Excellency's Most humble & Most Obedient Servant

JN^o CATHERWOOD.

His Ecy Lewis Morris Esq^r.

GOVERNOR MORRIS TO GOVERNOR SHIRLEY.

Trenton June 21st 1745

SIR:—By mine of the 6th current I let you know that I had pass'd an Act on Saturday, the first of this month, for applying £2000 to be sent to you in provision for the use of the forces at Cape Breton. I yesterday reciev'd a letter from one of the persons Employ'd to purchase these provisions, telling me that they had put on board the sloop Dolphin, Samuel Parsons master, bound for Boston 293 barrells of Pork 2 barrells of flower and 2 gammons of Bacon, to be delivered to you at Boston; which goods, with freight and Commissions, amounted to £1000, and that this sloop sail'd the 18 in the afternoon from Burlington. The persons Employ'd by the Assembly to manage this matter were Country men & not well acquainted with business of this kind, & whether they have got the master to signe bills of Lading or not may be a question. I am told there is y^e other £1000 going or gone from Brunswick wth bread and flower. As these managers were solely by the appointment of the Assembly I did not Expect they would say any thing to me about it, but since one of them has given me the above account, I Judg'd it proper to let you know it. This £2000 has not cost the Country one groat, being taken out of money Rais'd and apply'd for another use—viz the support of the Government. I ventur'd to assent to the act because it really was (tho' but a small sum) for the publick service, & I hope his Majestie will approve of my doing of it. But it was quite a different motive that induced the Assembly to do it, viz to lessen the money in the treasury to make it seem necessary to pass an Act to make £40,000 in bills of Credit, w^{ch} our Assembly have for severall sessions Endeavour'd to get done, and plainly tell me they will not support the Government unless I will Consent to such an Act.

I am Sir, &c

L. M.

To Govern^r Shirley—at Boston.

I wrote another Letter to Govern^r Shirley on y^e reciet of the accn^t of y^e Reduction of Lewisbourgh and sent his letters forward to Collo Thomas Bladen of Mary Land and Gooch Govern^r of Virginia July 11th.

COMMODORE WARREN TO GOVERNOR MORRIS.

Superbe in Lewisbourg Harbour the 24 June 1745

SIR :—I receiv'd your favour, and thank you in his Majesty's name, for the readiness you Express to contribute what assistance you can of men, and provisions, for carrying on the Expedition against Lewisbourg.

I have now the pleasure to acquaint you, that we are in quiet possession of that Important Town, Garrison, and the Territorys thereunto belonging, and that it is my duty pursuant to the orders I have receiv'd, to apply to you, and the different Governours upon the Continent, for such provision, and men, as I may want, and I never had more occasion for your assistance than at present, in order to keep possession of a Garrison, that is the Key to all the French Settlements, upon the Continent, and of which possession every Collony will feel the good effect ; therefore hope you will send with all speed your Quoto of men, Arm'd, & Victual'd, for at least Seven or Eight Months, to remain here for the Support of this Garrison, 'till his Majesty's pleasure is known, till which time I shall continue here.

I cant say how it has happen'd, you did not receive a letter to this purpose, from his Grace the Duke of New Castle, I send you a copy of it, and know it to have been a Circular one, to all the Governours upon the Continent.

You will please to advertize all his Majesty's Subjects, that are willing to come to this port to Trade, with the Garrison, and Inhabitants, shall have free Liberty without any duty, or Imposition whatsoever, and that none of their people shall be Molested, or Impress'd, into his Majesty's Ships, or service ; and that there are several prizes here who will be Condemn'd, and dispos'd of, and many more will no doubt fall in daily by our Cruizers ; I make this application to all your Neighbouring Governours, and have begg'd them to recommend the consideration of this my request to their different Legislatures, who can't in any manner give greater proofs of their Loyalty to his Majesty, their Love to their Country, and their care of posterity, than by assisting me with the means of keeping possession, till his Majesty can make provision for it, of a Garrison, and Collony, that in its consequence, will be the means of extirpating so dangerous an Enemy as the French are, out of the Continent, and of uniting such Nations of Indians to us, and to one another, as will

greatly Increase our Furr and Fish Trade, and secure us and our posterity in the quiet possession of our Civil and religious Rights. I am S^r,
Y^r Most Obedient humble Servant

P. WARREN.

Lewis Morris Esq^r.

Under date of June 24, 1745, Governor Clinton in transmitting the foregoing despatch, says :

“ All the news I have is y^t we have mett with a small loss of Men at y^e Attack of y^e Island Battery, that Capt Gayton was coming into Boston wth the French Prisoners and Devivier.”

Under date of July 3d, 1745, Governor Shirley in a circular letter to all the governors, gives official notice of the capture of Louisburgh, which is transmitted by Gov. Clinton to New Jersey under date of July 10th.

GOVERNOR MORRIS TO COMMODORE WARREN.

Trenton July 19th 1741

SIR:—I reciev'd yours of the 24th of June from Lewisbourg by Express last night at nine o'clock wth the Coppy of the Duke of New Castle's letter, the originall of w^{ch} I have not yet reciev'd no ships from England having since the date of that letter arriv'd in New York or Pensilvania. I reciev'd from Governour Shirley the 11th of this month, by Express, the Account of the surrender of Lewisbourg to his Majestie's obedience; wth letters to the Southern Governours w^{ch} I forwarded by the Express, as I shall presently do yours, being of the same purport, and I heartily wish all the Assemblies concern'd may, according to their duty, do all in their power to preserve so Important a Conquest; w^{ch}, as you Justly call it, is the Key to the French settlements in North America and may, if this successfull beginning be well follow'd, render his Majestie master of them and of the fish and furr Trade;—as advantageous as any branch of the British Commerce, if not more advantageous. I heartily congratulate with you on so considerable an acquisition; and hope it will be attended with the desired and naturall Effects, and that our Masters in Britain will be so truly sencible of the great consequence of it as to En-

able you to gather fresh Lawrells in the pursuit of it. I shall lay your letters before our Assembly, w^{ch} I shall meet next month, and wish they may view the thing in the same light that I do: But they are an odd mixture. They have already given £2000 of the publick money (Rais'd and apply'd to another use) but not one groat of their own: This is lay'd out in Provisions, and went from hence to Governour Shirley about y^e 20th or 24th June last. And I hope is at Lewisbourg by this time. I am, with great Joy for your success and very great regard, Sir, &c

L. M.

To the Hon^{ble} Peter Warren Esqr of the Superb; Commodore of his Majestie's Ships at Lewisbourg.

TO GOVERNOR CLINTON.

Kingston July y^e 25 1745

SIR:—I got a letter from your Secretary yesterday, dated the 24 of June (16th ?) the post master knows not how he Came by it, but thinks it came from Hopewell a Country town about 10 or 12 miles from this place. The subject of it is about laying an Embargo here for some time in order that there may be provisions to supply the forces at Lewisbourg w^{ch} might be otherwise Exported to the West Indies, and that you had wrote to Governour Thomas on the same head. I heartily Joine with you in Opinion, but my laying an Embargo will be to little purpose if there is not one lay'd in New York and Pensilvania, and if one should be lay'd in York and Jersie & not in Pensilvania it will give that place an advantage; however if you think propper to lay an Embargo in New York as soon as I have notice of it I will lay one here for the same time.

I am, Sir, &c

L. M.

THE LORDS OF TRADE TO GOVERNOR MORRIS.

Whitehall, July 3^d 1745

SIR:—In a Postscript to our Letter of the 2^d of August 1744, We acknowledged the Receipt of two from you, One (a Duplicate) dated March 3^d 1743-4, the other of the 11th of June 1744, with the Papers referr'd to in both of them; Since which, We have received two more from you, one of the 28th of January and the other of the 1st of February last.

We have read and considered the Remarks you make, in that of the 3^d of March 1743-4, upon the several Acts mentioned therein, and We hope you will continue the same Method for our Information, and furnish Us with your Observations upon all Acts that you shall transmit to Us.

We are sorry to find by all your Letters, that there is so little Disposition in the several Assemblys, that you have lately held, to come into any Measures that may be necessary for the Support of Government, or for the Defence of the Colony, especially in these times of Danger, in which their own Interest should naturally dispose them to exert their best Endeavours for the Service of the Publick.

We are concerned to hear of the unhappy Differences between the Council and Assembly, and still more so to find, that one Branch of your Legislature should attempt, as far as in them lies, to carry an Act into immediate Execution, that has a suspending Clause in it, and that the Assembly should take upon them to censure the Proceedings of the House of Commons of Great Britain.

We have according to your desire, recommended to His Majesty the Confirmation of the two Councillors by you sworn into the Council, and the other four named by you, to supply the Vacancies which you apprized us of, in your Letter of the 1st of February 1744-5.

By your Instructions relating to the Acts of Trade and Navigation, you are directed to send us Quarterly Accounts of Ships entered & cleared in your Government, in the manner prescribed in a Scheme annex'd to those Instructions, which Accounts are of great Use to us for forming Reports to His Majesty, of the State of Trade in the respective Plantations. Of these We have not received any from New Jersey since the Year 1727, and must therefore desire you will direct the Naval Officers to furnish you with Copies of the said Accounts, for at least seven Years backward, and that you will transmit the same to us, as soon as conveniently may be. So We bid you heartily farewell, and are

Your very loving Friends and humble Servants,

MONSON

M BLADEN

R PLUMER.

JA: BRUDENELL

B LEVISON GOWER

J. PITT

Lewis Morris, Esq^r, Gov^r of New Jersey.

P. S. Whereas Doubts have arisen in some of His Majesty's Plantations in America, whether any of His Majesty's natural born Subjects

taken on board any of the Enemy's Ships committing Hostilities against His Majesty's Subjects, and thereby Guilty of High Treason, may be Try'd as Pirates by the Courts of Admiralty in the several Plantations, We send you inclos'd, An Act entituled, *An Act to amend an Act made in the Seventh Year of the Reign of King W^m the Third, entituled, An Act for the more effectual Suppression of Piracy*; for your Conduct therein.

MONSON

In Our Letter to you, of the 21st May 1740, We acquainted you, that His Majesty, in pursuance of an Address of the House of Commons had commanded Us to prepare forthwith a compleat Collection of all the Laws which have been made, and are now in Force in any of the British Colonies in America, and that therefore We desired you to prepare a compleat Collection of the Laws in your Government, & transmit the same to us with all convenient Expedition. In Answer to which in your Letter of the 16th Aug^t 1741, you acquainted us with the Difficulties that you met with in making such a Collection. In Reply thereto, We inform'd you, in our Letter of the 3^d Aug^t 1742, that provided you sent us exact Copies of the said Laws, authenticated under the Seal of the Province, whether written or printed, it would be equally Satisfactory to Us. Tho' We have not as yet received any Answers thereto, We hope nevertheless you have given the necessary Directions for preparing them, and that you will transmit them to Us, as soon as conveniently may be.

MONSON

COMMODORE WARREN TO GOVERNOR MORRIS.

Lewisbourg July 25, 1745

SIR:—I have the pleasure to tell you, that two of my Squadron have taken a Rich East India Ship, and that we propose to sell her Cargo, if the Merchants will come from the Collonys to purchase it.

Herewith I inclose you an Advertisement, which I desire you will get Printed, and distributed about your Government, in order to the peoples being here in time, as the Season is now far advanc'd.

I am in daily expectation of the Provisions and Men, that I wrote to you for for the protection of this Important Garrison. I am with great regard, S^r,

Y^r Excell^{ty} Most Obed^t humble Servant

P. WARREN.

His Excell^{ty} Lewis Morris Esq^t.

ENCLOSED IN FOREGOING.

Louisbourg July 25th 1745

Whereas a very valuable French East India Ship from Bengal called the Charmont, was lately taken by Two of his Majesty's ships of Commadore Warren's Squadron and is brought into this port, having on board a large Quantity of Muslins of various sorts plain and embroidered, and all other sorts of Cottons; a large Quantity of Handkerchiefs of various sorts for men and women plain and embroidered, Seersuccers, a large Quantity of raw Silk and Kirmar Wool, Table Linnen, a large Quantity of pepper, and a variety of other valuable Merchandize yet unknown. This is to notifie all persons inclining to purchase any of said Goods, that the abovementioned ship and Cargo will be condemned in this port, and the Sale of said Cargo will begin in about a Month from this Date.

P. WARREN.

GOVERNOR MORRIS TO THE SPEAKER OF HOUSE OF
ASSEMBLY.*Trenton July 30th 1745*

M^r SPEAKER :—At your next meeting to adjourn the house, (which will be sometime in the beginning of August, pursuant to my former directions,) do you at that meeting adjourn the house to meet at Trenton on the sixteenth of the same August at which time I will meet with them, of w^{ch} you are to give the severall Members notice. I am, &c

L. MORRIS.

To the Hon^{ble} Sam^l Nevill Esqr Speaker of the house of Representatives of the Province of New Jersie.

In pursuance of the foregoing order, the members convened at Trenton on the 16th August—and on the 19th a quorum was obtained.

The governor's speech, which was read on the 21st, was more brief than usual, calling the attention of the representatives to the necessity of putting the province in a state of defence—to the unsupported condition of

the government—and to the fact that no measures had been adopted to refund to the treasury the £2000 appropriated for the provisions for the use of the forces at Cape Breton; that sum being a portion of the money already pledged for the support of the government.

He laid before them his despatches from Cape Breton asking for reinforcements; and regretted that his ill health had rendered it necessary to summon them to Trenton instead of his meeting them at Amboy, where the session should have been held according to the usual custom.

The Assembly very promptly expressed their hope that the appropriation already made for the Cape Breton expedition would be deemed sufficient co-operation on the part of New Jersey; and then proceeded to discuss with the governor the propriety of his calling them together at Trenton:—but he was not prepared to enter into a controversy at that time, and resting satisfied with an annunciation of his right by advice of Council to convene the Assembly wherever it might be judged necessary, he prorogued them to the 24th of September.

GOVERNOR MORRIS TO COMMODORE WARREN.

Trenton August 27th 1745

SIR:—I reciev'd Yours of July 25th from Louisbournh and am very Joyfull at your good success in taking the India Ship you mention. Your Advertisement is Printed in the Publick news both in York and Pensilvania, and people of all these parts are flocking to you to view and purchase as they Can. Amongst others the person design'd to beare this letter, M^r William Coxe, son of Coll^o Coxe and Brother to M^r John Coxe, a gentleman Considerable here, who I suppose is not unknown to you. You will find the young gentleman not unworthy your notice.

I communicated about five days since your letter of the 24th June,

wth the Coppy of that from y^e duke of New Castle, to our Assembly; but they having agreed as I told you, to lay out £2000 in Provisions to be sent to Governour Shirley for the use of the forces at Cape Breton (which were sent as is said by the persons they Employ'd, tho as yet I have had no account of their being reciev'd)—they think they have done abundance; and there doth not appeare to me any likelihood of their doing more, tho I press'd it in Very strong termes: But you are not unacquainted wth what sort of men I have to do with.

I am, with desiring a Continuance of your successes, and Great regards, sir, &c

L. MORRIS.

To the Honble Peter Warren Esqr Commodore of his M^{tie}'s Ships at Louisbourg.

GOVERNOR CLINTON TO GOVERNOR MORRIS.

New York August the 24th 1745.

SIR:—By the Copies of the Letter from the Commissioners of Indian affairs at Albany, And their Minutes of the 9th and 12th Instant, herewith inclosed; you will Judge what a Wavering and fickle Disposition, the united Nations of Indians, in League with the Respective British Colonies on the Continent, are at length brought to, through the Indefatigable Industry and delusive Artifices and Intrigues of the french, and will thence Conclude, how much it imparts those Respective Governments, to unite their force and Councils, in Order to defeat their Destructive Schemes.

The french at Canada, from the late Success of the British Arms, in the Conquest of the Island of Breton, no doubt are become Apprehensive, that we have Views of Penetrating farther into their Country, (as I hope the case may be) and making them Still more Sensible of British Resentment; As no Acquisition could be of such Infinite Advantage to these Colonies, it must therefore be a matter we have all most Warmly at Heart, and the french most Terrible Ideas of: It behoves them therefore to Exert their profoundest Policy and Craft, in pursuing, at all Adventures, Such Measures as may be most likely to frustrate any such Attempts, and divert that Torrent Which they may Imagine seems Ready to Overwhelm them: And as a main Expedient to Ward off the impending Danger, it seems probable the french have made the Strongest Efforts to induce our Indians to a Revolt; and indeed they seem to have made but too Great Condescension towards it, by Excepting from the Governour of Canada a Belt of Wampum, Containing the figure of a

Hatchet, Signifying, among those People, a Declaration of Warr; upon Condition only, of Carrying them to their Respective Castles to deliberate upon, before they give their Dicisive Answer.

Since Matters are brought to this Crisis, I could not Hesitate one Moment about Communicating this Intelligence to the Governours of the Respective Colonies, Concerned in the Issue of an Affair of such great Concernm'; and at the same time informing them of the Steps I am taking, in Order to retain those united Nations in their Fidelity to his Majesty, and firm to their Engagements Entered into by their Several Treaties Concluded and so often renewed and Confirmed, between them and the Governours of the Respective British Colonys: To this end, I have appointed the fourth day of October next, for a Meeting and Conference with them; And have thought it Necessary (As the Value of Indian Goods is exceedingly enhanced) to be provided with 1000 £, which is upwards of the Value of two years usual presents, as the most perswasive means to restore them to perfect good Temper, And Re-establish them in a firm Attachment to us; in so much, as to engage them, (if Possible) to join heartily with us in an Offensive prosecution of the Warr, Whenever it shall become Necessary. These are my Views, which I shall use my Utmost Endeavour to Attain; to the Accomplishment whereof, the presence of Deputies from your Government at the same time, furnished with the like means, (as it seems Absolutely Necessary, so) will, no doubt, very much Contribute. Wherefore as soon as I was enabled and determined to give the Indians this Interview (though at a season I should not have fixed upon but through Necessity) I have Immediately Notified it to you, in full perswasion that you will Endeavour to Comply with whatever may be thought Proper, and Expedient to be done by your Government in this Matter, at this Critical Conjunction. I am with great regard sir

Your Excell^{ty}s most obedient humble servant

G. CLINTON.

His Excell^{ty} Lewis Morris Esq^r.

Albany y^e 12th August 1745.

MAY IT PLEASE YOUR EXCELLENCY:—We have received your Excellency's Letter of the 31st July with A Paragraph of Governour Shirley's Letter thereinclosed and have Considered of the same, When We rec^d your Excellencies Letter we had Already sent two Indians to the Northward to Enquire who were the Authors of this Murder, and they brought

Us an Authentick Account, that it was Committed by some of the Orondax; We have formerly mentioned to Your Excellency, and We Daily Expected some Mohawk Indians from Canada, and resolved to Waite their Arrivall before we sent Our Interpreter to the Six Nations about the said Murder, Committed in New England; The Mohawks returned Last Fryday, and we Examined them Concerning what passed between the Indians of the Six Nations, and the French Governour, when they Informed Us of Sundry Particulars, the Minutes whereof of the 9th Instant We send hereinclosed but they were Either afraid or Ashamed to Tell us the Truth. Since which our Interpreter has Sounded A trusty Man of the Mohawks in Private, who Informed him of What we believe has Actually past at Canada, the Contents of which is Contained in the Inclosed Minutes of this date. Your Excellency will thereby perceive that the Canada Indians have all taken up the Hatchet against the English. So that there is now an End of the Neutrality with the Indians and we must expect to be Attacked by them As soon as they Conveniently Can, but what is Still Worse, is, That the French Governor is about Setting Our Indians against us, Which it Seems he has made y^e Chief point at this Meeting, and has Actually Offered them the Hatchet against us, which they have not Refused, but Told him that they would Consider of it At Onandage, and then give him their Answer, So that our Indians, are, It Seems, Almost Gained by the French to their Interest, and if the most effectual and Speedy Care be not taken We must Expect to have them our Enemies; as our Indians Seem to be in so Wavering a Scituation, We have not thought Proper to Send our Interpreter up about the Murder in New England, as judging he would meet with no Success; we hope your Excellency will Approve of our Management herein; We think it Absolutely Necessary that your Excellency should Come up here, As soon as Possible, to meet the Six Nations, and it would be proper in our Opinion, that Comm^{rs} of the Massachusetts Bay, be then Also Present, To Endeavour to take Some new Measures with the Six Nations; & if it be then Thought Proper, to Prevail upon them To take up the Hatchet against the French; If this be not done, the french Will Leave nothing Unessayed, to make them our Enemies, in which they have Already made too Great Progress: The French have so great a number of Indians in their Interest, as makes our Indians fearfull to Offend them, Especially as we do not provide for their Safety and Defence; as affairs are at present in this Critical Posture, it is absolutely necessary, that the Assembly Enable Your Excellency to make more than Ordinary Presents, in Order to which, they should likewise Consider, that the price of Goods

is greatly Advanced, and that it will be Necessary that the Warriours be Called down here, as well as the Sachims upon this Occasion.

We hope that the Assembly, will at Last Resolve to raise Money for a Fort at the Carrying place, and to keep a proper Number of Men there, for Outscouts, to protect our Frontiers in some measure against the Enemy; If this be not done, that the Outscouts can have a Rendez Vous, It is impossible to keep any Parties out, So that our Country must then Lie Exposed to that Enemy Even to the Gates of this City.

The £300 Allowed us for Outscouts is not only Expended but Considerably Exceeded.

As soon as your Excellency resolves to Come up here, It will be Necessary that we are acquainted therewith, that we may Send up the Interpreter to Call down the Indians, to meet your Excellency here, at the day appointed.

We think it both Necessary and just, that the Provinces of Virginia, Maryland and Pensilvania, should likewise send Deputies here, with Presents to Attend at this Meeting, for this Affair Concerns all the Provinces in an Essential Manner. We are With the Greatest Respect May it please Your Excellency

Your Most Obedient and Most humble servants
 MYNDERT SCHUYLER
 NICOLAES BLEEKER
 DIRCKY TEN BROECK
 HENDRICK TEN EYCK
 CORNELIS CUYLER
 JOHANNIS LANSING JUN^R
 JN^O DE PEYSTER
 STEPHEN VAN RENSSELAER
 REYER GERRITSE

ENCLOSED IN THE FOREGOING.

*At a Meeting of the Commissioners of Indian Affairs at Albany the
 9th August 1745.*

Ten Mohawk and Tuskarroro Sachims having been to Canada among others of the Six Nations to Treat with the Governour of that place, Returned from thence and bring the following Account of what passed there with the Governour. They say:

That the Onondages, without Consult^s the other Six Nations, Re-

newed the Covenant they had formerly made with the Governour of Canada and did also frequently Confer with the French Governour in private, but what then passed or was Transacted they were Ignorant of.

That the Governour told them that the French had taken an English Vessel and found Letters on Board which gave an Account that the English designed to take Canada, and when they were Masters of that Country that then they intended to destroy the Six Nations.

That when they had been four days at Montreal, they heard some Indians Cry out as they usually do when they come from fighting, which they Expected were some Indians from the Southward who had been fighting to the Southward against the Cattabaws, but Looking out they were told that some Orondax Indians had two Scalps of English Men, which Surprized them very much, and Immediately the Governour Sent for them and Informed them that he had Sent out a party of three Caghnawages Three Schawenidies and three Orondax to go as farr as the head of the Otter Creek to see whether the English were Building any Fortifications there, And that without his Knowledge Thirty Orondax were gone after them and had killed two English Men, They say that the Governour Seemed very angry and told them that he had not given any orders to his Indians to kill any white people in New England, but had told the party he Sent out to take a prisoner for Intelligence if they Could Conveniently do it, That the Governour of Canada turned the Orondox away and would not Suffer them to come into his House. That the Governour told them that the Road should allways be Open for them whatever might happen between him and the New England people.

They say that the Account of the surrender of Lewisburgh was brought to Montreal while they were there, And that a few days after an Express came from Quebec who was but one Night by the Way to Inform the Governour that two or three ffisher Boats were Come up the River to Quebec and brought an Account that they had seen two English Men of War in the River St. Lawrence, which they supposed to be part of a fleet coming to take Quebec; that upon this News the Governour of Quebec went down Immediately from Montreal with 1000 Men and left orders for half of the Militia to follow him. They say that they have been Informed that three of the Missesqueek Indians were gone to New England to take a prisoner. That Sconondo a Sachim of Caghnawages told them the day that the News of the Surrender of Cape Breton came to Montreal, that the Caghnawages were determined to Assist their ffather the Governour of Canada, under whose protection they live, against all Attempts which Shall be made against him.

That the Onondage Sachims told the Governour of Canada they Expected that he would in no wise Molest Oswego, that if he did, perhaps their Affections would turn against him; that the French should think themselves well off to have two Forts along the Same Lake with which they ought to be Satisfyed.

That they Asked the Governor of Canada about the English people who were Taken prisoners at the back of Pensilvania, and that the Governor of Cannada Answered them that he had not heard any thing of it.

That the Caghnawages have promised the Governor of Canada to send 100 Men to the Assistance of Quebec. That The Governor of Canada did not give them presents so large as usual, giving for Reason that the English had blocked up the River so that their Vessells Could not get in.

*At a Meeting of the Commissioners of Indian Affairs at Albany the
12th August 1745*

The Interpreter informed this Board that a Trusty Mohawk Indian who Came from Canada Informed him that when they were there the Governour told them as follows.

Children—You gave the English Liberty at first to build a Trading House at Oswego, but Instead thereof they built a Strong House and afterwards they have Surrounded it with a Stone Wall and Mounted Cannon thereon which they have done only to distroy you, That when they go to Murder you you Cant fly to me for protection but to Stop you there and kill you. You Escaped distruction, very Narrowly last Winter when the English designed to Murder you.

Children—I Expect the English will Certainly Attack me, and therefore in order to defend my Self against them I have given the Hatchet to all the Indians under my protection against the English, who have all of them taken it up and promised to defend me against the English to the utmost of their power, And I have Sent for all the upper Nations to Come down here near me to Assist me as I have Occasion for them, I have Just now told you that the English design to distroy all your Nations And that you are on the very brink of distruction, Wherefore out of the Tender Regard I have for you I desire you will Come and live in my Country where I will Receive you with Open Arms, And now I desire that you will take up the Hatchet against the English to Assist me

against them. Then he laid down a large black belt of Wampum with the figure of a Hatchet in it.

Our Indians Answered the Governour that they would take the Belt of Wampum with them, and Consider of it at Onondaga in a full Council of the Six Nations and then give him their Answer.

The Said Indian also Informed the Interpreter that the Cagnawages took up the Hatchet against the English at Montreal, in the presence of the Sachims of the Six Nations then and there, and afterwards the Cagnawages desired our Mohawks to Joyn with them in the Warr agst the English and gave them a Belt of Wampum to Carry home to their Castle to Consider of it And then to Send them their Auswer.

GOVERNOR MORRIS TO LIEUTENANT GOVERNOR PHIPS OF
MASSACHUSETTS.

Trenton Sept^r 2^d 1745

SIR:—I had yours, with the Inclosed to Governour Thomas, by the post, w^{ch} I did Immediately send forward. It is evident that the attempt upon Louisbrough and reduction of it has been chiefly at the Expence of the Collonies you mention, & doubtless the Circumstances of things have rendered the private men concern'd in it in some measure sufferers. I wish I could say it was or would be as evident that the other Collonies had (as they Justly ought) contributed or would contribute their share towards it.

It is but too evident that there was a generall deadness or rather unwillingness in the Assemblies to Contribute to it, and our Assembly (the first that led the way with £2000) did it in a very awkward manner by applying to that purpose money before that apply'd, or rather appropriated, to other uses, w^{ch} put no man in the province to y^e Expence of one groat; being done rather with a view to make the passing of an Act to make £40,000 in bills of credit necessary, than to give any Encouragement to an Expedition w^{ch} cannot be sufficiently applauded; yet it led the way to what has been done by others. But I am far from thinking that what has been done by all of us is adequate to what should have been done, or y^t a few £1000 pounds without the assistance of a man is sufficient.

About 10 days since I lay'd Governour Shirley's & Commodore Warren's letter before our Assembly, and press'd this matter but without effect.

It being nigh their seed time they were uneasy at continuing together, so that I was under a necessity of dismissing them for that time, and appoint their meeting on the 24th of this month; when I shall lay what you say before them, but the leading men among them being obstinate, or under the direction of such, I have little reason to expect from any thing you have said or can say to them on that head.

The case I take to be much the same wth Pensilvania, and unless some methods be fallen upon to get effectuell orders from England, we are so far from being able to procure any assistance of men, either there or here, y^t we cannot procure such acts for the regulating of the militia as is necessary for our defence.

I am, &c

L. M.

To the Hon^{ble} Spencer Phips, Lieutenant Govern^r of the Massachusetts Bay.

TO GOVERNOR CLINTON.

Trenton September 2nd 1745

SIR:—I reciev'd your Excellency's of the 24th of August, w^{ch} my very ill state of health prevented my returning an answer to by the post that brought it. The Indians are a fickle and wavering people, but have been long in our interest; and are not unacquainted with their own. There is no doubt to be made but that the French governour will do what he can to gain them and make them our Enemyes; but his Endeavours Joyn'd to the ill usage the Indians have reciev'd from the traders with them from Albany, have not hitherto been able to make them so much so as to venture upon entring into war with us: and whatever seeming probability there has been that they were Incln'd to do so, yet by means of presents suitably dispos'd of by direction of their Albany friends, they have been prevented from going the lengths they were suppos'd inclinable to, or likely to do: and matters have been hush'd up for some time till some other story was brought upon the carpet for the like purpose, w^{ch} of late yeares have not been so readily believed as formerly.

The Indians however wavering are not fooles, but on the contrary a very sagacious people, & know it is not their interest to make war with the English who are so much superior to them in numbers, & who they know can, if constrain'd to it, prevaile upon them to lay down their hatchet without y^r aid of annuall presents.

If they believe the excuse made by the Governour of Canada for the smallness of the presents made to them, because the river of S^t Lawrence was block'd up by the English; it must appeare to them by the confession of the French that they are unable to supply them with the goods they want; or even to protect them, unless they remove and live amongst them, w^{ch} it may be a small part of them may be not unwilling to do. I forbear observing upon the Examinations and representation of your Commissioners, to a person of your Judgment, & w^{ch} will be augmented by a longer acquaintance with them; But if I can forme any Judgement from things of this kind pass'd, the Southern Governours have not so good an opinion of the Veracity of the Albanians as to be induc'd to send deputies to treat at Albany, or presents, unless it be upon informations they have a greater dependance on than what comes from Thence: for w^{ch} end I am told one Conrad Wiser is gone amongst them.

As for my own part I believe it better to give a knave a small sum of money if that would do than to fight with him. And shall lay this affaire as transmitted to you before our Assembly, but as they make a pretence of conscience against fighting, and of inabillity in case of giving, and are against any thing that to others seem reasonable, I have very little or no reason to expect they will do any thing.

I am, &c

L. M.

To his Excellency Govern^r Clinton of New York.

TO CAPTAIN FORREST.

Sept 12th 1745, 5 o clock afternoon

SIR:—I have just now recieved yours of the 10th currant. I have recieved from Comodore Warren letters on the subject you mention, and have communicated them to our Assembly, but as yet without effect. They are to meet again the 24th of this month, when I shall againe lay before them the Commodores letters and others I have recieved from the Govern^r and L^t Governour of New England on that head. I wish I could say I had a prospect of success, but I have such a set to propose to, as gives me no encouragement to hope it; however I shall earnestly press it to them as I have done hitherto, and leave it to God to worke upon them; for no man I think can. I wish you a Quick and Safe Voyage to your post.

The post goes to-morrow early and I suppose this will find you at New York.

I am Sir, &c

L. M.

To Arthur Forrest Esqr of his Majestie's ship Wager at New York.

The Assembly met at Burlington, September 24th, but the health of the governor not permitting his meeting them, he sent the following letter, which was received on the twenty-eighth:

TO SAMUEL NEVILL, SPEAKER, &c.

Sept 26 1745

MR SPEAKER:—I reciev'd the message from your house yesterday in the evening, wth the particular directions contain'd in it to your messengers where to deliver it to me. I am sorry that my weakness and ill state of health at present, & my wifes extream Illness, by w^{ch} she has been confin'd to her bed this fortnight with very little hopes of recovery, & still is confin'd and very ill, renders me unable to meet you at Burlington as I would have done if I could.

Tho the publick state of affaires both with regard to ourselves and the securing so considerable an acquisition as that of Cape Breton & Louisbough, reduced allmost Intirely at the expence of the men and Treasure of our neighbours of New England, who much needed & reasonably desired the aid of the other Collonies to preserve so considerable an acquisition when obtained, and prevent it from falling again into the hands of the French)—made your being kept together at the time of our last meeting necessary; yet the members of your house (or at least many of them) being (as they have said) Plowmen; & it being nigh or about their seed time; w^{ch} was suggested to me might prove prejudiciall to their Private affaires, I was willing to Indulge them agreeably (if I am rightly Inform'd) to their own desire, to put their meeting off to a farther time, when the business of their husbandry could not well obstruct their thinking calmly and effectually of what was then recomended to them: and accordingly prorog'd them to the time and place of their now meeting; and since they are met, as you tell me, I hope they will, avoiding all unnecessary disputes, seriously enter into the consideration of what I have at the last meeting and before that often recommended to them: and at present is necessary to be done as soon as conveniently it can.

The government and all the officers of it have been for this 12 months pass'd without any support; and still are; nay there is not so much as any provision made for the payment of the Governour's house. rent: which seemes a thing independant of the support of the Government How agreeable the not letting the governour have a house to live in, and

not supporting the government at all, is to the petitions, made to his majestie to induce him to grant them a separate Govern^r, any body that reads these petitions can determine; as every body who will give themselves leave to think, can, without much hesitation, Judge how likely such a conduct is to induce his majestie to grant them the favour they desire; w^{ch} gives me some reason to hope that your house by supporting the Government as they should do, will for the future leave no room for any remarks of this kind.

The militia is still unsettled; and of what dangerous consequence that may prove to the Inhabitants and his majesties Interest, now in a time of war when we may be attack'd by sea by the French, and by land by the French and Indians,—w^{ch} last are in a wavering condition, and have now under debate whether they shall enter into a war wth us or not; & it is not yet known on which side of the Question they will determine,—as you will see by Governour Clinton's letters and what comes from the Commiss^{rs} of Indian Affaires at Albany.

Should they determine for war, as possibly they may, I leave you to think of what dangerous consequence to the Inhabitants such a war may prove, unless some better care be taken than has yet been done.

I send you also an account of a notorious riot lately committed at Newark, if it be not something worse. If the Indians can be prevail'd on to Joyn^e in attempts of this kind, we may soon have a war with them in our owne bowells encouraged by the Kings subjects. The threat is of dangerous consequences.* But if they should not? if these Ryoters cannot be brought to Justice, all civill process must soon cease and the government be overturn'd. The Infection will soon spread from such a notorious Ryot to a Rebellion, so that I hope you will not be wanting in your care concerning it; and make such provision by a militia Act, or other Acts, as to prevent the like for the future.

* The cause of this and subsequent riots was the surveying and allotting certain tracts of land in the upper part of Essex county, known as the "Van Gieson" and "Horseneck" Purchases, by order of the Proprietors, which it was asserted would oust a large number of families already in occupaney under alleged purchases from the Indians; but who were in fact what in our day would be termed "squatters." Samuel Baldwin, one of those who had resisted this proceeding of the Proprietors, was arrested and im-

prisoned; but shortly before the meeting of the Assembly, his neighbors, and others similarly influenced, attacked the jail, and effecting a forcible entrance, released Baldwin from his confinement and—as they rather claimed credit for doing subsequently—"retired peaceably, ordering the breach made to be well mended, which was done accordingly." It was a threat of the rioters to secure the coöperation of the Indians which is alluded to by the governor.

I have reciev'd some letters from New England since our last meeting earnestly pressing for an assistance of men from this Collony. I have ordered those letters and what I reciev'd before to be lay'd before you for your consideration & I hope they will have their due weight.

L. M.

TO SAMUEL NEVILL, SPEAKER, &c.

Kingsbury October 2^d 1745

MR SPEAKER:—I send you Inclos'd a letter I reciev'd yesterday from Lieutenant Governour Phips of the Massachusetts bay with the copy of a letter from Governour Shirley to him w^{ch} shews the necessity of the aid they desire; and of what Ill consequences to his majestie's service the denying or deferring such aid may prove: which I refer to the consideration of your grace.

My ill state of health is such that I cannot go to Burlington, (tho' but ten miles distant, Besides the ferrys,) and, indeed, not with ease down stairs; therefore if this comes to your hand this afternoon or To morrow morning before you adjourn, Then adjourn the house to meet at Trenton on thursday or fryday next, as you think will be most convenient for the house and you to get there. We shall be then not halfe a mile asunder and more capable of Expediting the necessary business before us.

I am, &c L. M.

To Samuel Nevill Esq', Speaker of the house of Representatives of the Province of New Jersey.

LIEUTENANT GOVERNOR PHIPS TO GOVERNOR MORRIS,
INCLOSED IN THE FOREGOING.

Boston August 14th 1745.

SIR:—At the desire of His Majestys Council of this Province I am now to acquaint your Excellency with the present State of the Garrison at Louisbourg, as it is represented by a Letter from Lieutenant General Pepperell directed to Governour Shirley dated the 6th Instant, this day received; which Garrison consists principally of the Inhabitants of this Province. In the Proclamation issued by his Ex^{cy} Gov^r Shirley to encourage the raising of Levies for this Expedition, the men that should Enlist were promis'd to be discharged at the End of the Expedition. The

greatest part of the Soldiers as well as Officers are substantial men, and many of them Masters of Familys, and a Considerable Number were drawn off from the Frontiers, where their Familys are every day liable to be murdered by the Indians; These Circumstances, as well as the extream Toils and Labours of the Siege, the ill State of their Health consequent thereupon, and the wearing out of their Apparell in this Service, gives a General Discontent to the Soldiers upon the Prospects of a longer Detention therein. And as the Provinces are exhausted of men, Provisions, Cloathing, Ammunition, and other things necessary for the Support of the Garrison at Louisbourg, If his Majesty's other Provinces and Colonies will not do Something more than they have done for the maintaining of this Conquest, we apprehend great danger that the place will fall into the Enemy's hands again, for it is not to be doubted, but that the French will make a Vigourous attempt for regaining it.

I must therefore pray your Excellency to make a full Representation of the State of this affair, and how ill it must be resented by his Majesty, if after this province (with the assistance of Connecticut and New Hampshire), have been at the Charge of above £200,000 Sterling for the reducing this place, besides the great loss and damage by taking off so many of the Substantiall Inhabitants of this Province from their business & the general Stagnation of trade here, Occasioned by this expedition. I say if after this place has been gained at so vast an expence, and so unspeakable a loss in other respects to this Province, the other Provinces (saving Connecticut and New Hampshire as above mentioned) should apprehend they have done their duty by raising a few thousands of pounds, without furnishing one single man for the Conquest of the place, nor for the Defending it when Conquered—and if this place should be finally recovered by the French for want of a Sufficient Strength to defend it, the blame must lie upon the Colonies that refuse to bear their part in the Charge and dangers of this important Enterprize. Your Ex^{ty} having from the beginning manifested so hearty a disposition to promote this great affair, leaves us no room to doubt, but you will do every thing in your power, to bring y^r assembly into such measures as are necessary for the preservation of Louisbourg to His Majesty, and more especially for raising of Recruits for the Garrison there, and taking up provisions & ammunition necessary for their Supply.

By Express Boat now arrived from Louisbourg, we have certain Intelligence, that besides the first India Man taken by Commodore Warren's Squadron, (of which we were advised the last week) they have taken another India Man richly laden, and a South Sea Man with £400,000 Sterling in money, besides a Valuable Cargo of Merchandize, all which

were taken in Sight of the Garrison, So that it is judged that the Value of the Captures made on that Coast by His Maj^y Ships is near One Million Sterling (if not more) which it is probable would never have fallen into our hands if this Expedition had not been attempted. Your Excellency will please to Send the inclosed Letter forward by express. I am S^r

Your Ex^{cy} most obed^t humble Serv^t

S PHIPS*

The Assembly, having taken the communication of the governor into consideration, returned him their answer on the 3d October; in which they use much plainer language, and exhibit a less forbearing spirit than in previous addresses. It is plainly insinuated that the governor acted under evil advice, and the 12th verse of 29th chap. Proverbs is quoted for his warning: "If a ruler hearken to lies, all his servants are wicked." The obstructions thrown in the way of their legislation by him and the Council, would prevent their preparing bills until some future favorable opportunity, when reason and argument might have greater influence. The bills for the support of the government which from time to time had been matured, had all provided for the payment of the governor's house-rent; but should he be pleased to convince them that it was "a thing independent of the support of government," it would be an easy matter to persuade them that they had nothing to do with providing for its payment. For any evils resulting from the unsettled state of the militia, they did not conceive themselves accountable—neither did they anticipate any difficulties with the Indians. Although they regretted the occurrences at Newark, yet they considered the existing laws fully

* Another letter urging the immediate departure of recruits (Nos. 81 and 84) was received, dated in September.

sufficient for the suppression of similar disturbances and the punishment of the offenders. Had those magistrates of Hunterdon county complained of by a previous Assembly* been discountenanced, as they should have been, by the governor, others might have been deterred from violations of the laws.

The representatives were evidently getting restive under the difficulties in the way of legislation, added to which were now the inconveniences attendant upon their sitting at Trenton, at a distance from the governor. They adjourned from day to day, indisposed to act upon their own responsibility, and receiving no suggestions from the executive; with the view, however, of strengthening their position, they endeavored by a message to the Council, on the 8th, to draw from that body an admission that the Assembly was called to Trenton from Burlington without their advice: but the Council returned for answer, on the 11th, that "all advices from the Council to the governor are given in a privy Council and as matters of state; and the members are by their oaths and affirmations bound to keep secret all such matters as are propounded, debated, or resolved in such Council,"—so that no answer consistent with their trust could be given to the enquiry of the Assembly.

Failing in their endeavors in this direction, they turned to the governor for a solution of the question: but he declined to receive the message from a committee, "the speaker being the mouth of the House"—upon learning which the following resolutions were unanimously adopted on the 14th:

* Referring to an election of Andrew Reed as loan officer by the justices, which, from some informality, excited at the time much interest.

"Resolved That his Excellency's refusing to receive the message of this House, sent by their members (which has been the constant practice of all the Assemblies of this Colony ever since the surrender of the government of the Proprietors to the Crown, and the common practice of the Parliament of Great Britain) is a manifest denial of the freedom of access to the Governor, and of the privileges of this House, and destructive of that confidence and harmony that ought to subsist between him and the representatives of this colony.

"*Resolved* That this House are determined, as much as in them lies, not to be deprived of their ancient and accustomed way of proceeding, by complying with new and unprecedented prescriptions.

"*Resolved* That this House will not proceed any further on the public business (unless such as may affect his Majesty's especial service, or in a legal manner to have the grievances of the Colony redressed) until they have the reasonable satisfaction of being informed whether they were removed at this time from Burlington to Trenton by advice of Council, according to his Majesty's commands or not."

Four days more of inaction passed, making fifteen since they had been called to Trenton, during which they had heard nothing from the governor to warrant their being so called, and on the 18th it was—

"Resolved That his Excellency's detaining the House for so long a time together, without letting them hear from him relating to the business of the house, is a great grievance to this House in particular, and to the Inhabitants of this Colony in general."

The same day a communication was received from the governor; in which, with much vituperation and intemperate language, he exonerates himself from some of the accusations brought against him, in substance as follows:

The liberties and privileges supposed to be annexed to the station of speaker of the House of Assembly were always asked for, in imitation of the proceedings of the House of Commons, as they had been by the incumbent of the office in that Assembly, and they

were always granted, both "at home" and in the colonies, "but so as they were discreetly and modestly used;" but no privileges, either inherent or granted, could be construed into giving the whole House or any member of it the liberty of using indecent expressions, or of vilifying the King's representative, or of abusing his Majesty's Council. By the king's letters patent the calling, adjourning, proroguing and dissolving of Assemblies had been conferred upon him, and Assemblies were bound on their allegiance to obey, and for the use or abuse of that power he was only responsible to his Majesty—the Council being fully advised of his instructions, and competent to judge of the manner in which he executed them.

"These Councillors"—said he—"are not my servants, but his Majesty's and is there any reason from this advice [the prorogation from Amboy to Burlington] to conclude that the advisers are Liars, and Wicked! or that the Ruler hearkens to lies, either from them or any body else! Expressions like these may gratify the malicious temper of low minds, unacquainted with common rules of decency, and incapable of any thing above the scum of the people; but will any body but such as themselves say, that it is becoming the representative body of a province to use such to the King's representative, and with respect to the chief magistrates of the province, though ushered in by a text of scripture? * * * * The remembrance as they say, of the frequent impositions of this kind, and my frequently receiving information from others concerning the affairs of the General Assembly of this Colony, put the inquisitive part of mankind in mind of the remark of Prov 29, and the 12th. The inquisitive and ingenious part of mankind are always capable of making suitable remarks upon what occurs to their observation, but that doth not give the members of your house (who are by no means entitled to that character) a right to make use of scripture to abuse their superiors * * * * In a late address from your house, they call themselves 'plowmen:' to such, language of this kind may not be disagreeable; and from such, remarks of this kind are not unexpected, as being most suitable to men of such characters. But the wise son of Sirach is far from reckoning such among the inquisitive part of mankind: or men supposed capable of knowing

what the inquisitive part of mankind would do, in the 38th chapter of Eccl. the 25th 26th and 33^d verses." *

The old causes of dissension are adverted to in the usual manner, and the calling of the Assembly to Trenton shown to be owing to the infirm state of the governor's health; and in reference to the Assembly's inquiry as to its being done by advice of the Council, it is stated that the secretary of that body laid before the speaker and three other members of the Assembly the Council book with the advice written therein: "one of them seemed to read it cursorily over, and all of them might have read it if they would. But one of them asked the Secretary whether the Governor had ordered him to show it them, that they might enter it on their Journal? or words to that effect. The Secretary replied, that he had no orders to that purpose, but was permitted by the Governor to show it them, that they might (as the Secretary supposed) be satisfied that he had called them to Trenton by advice of Council; and upon their declining to look into the Book more than had been done, he took up the book and left them." Consequently, all their complaints upon this point were unfounded, as they refused to receive the information when it was proffered them.

He had not hindered the Hunterdon officers from being prosecuted; the law being open to any persons

* These verses, thus brought to the notice of the representatives of the people, are as follows:

"How can he get wisdom that holdeth the plow, and that glorieth in the goad, that driveth oxen, and is occupied in their labors and whose talk is of bullocks? He giveth his mind to make furrows; and is diligent to give

the kine fodder. * * * They shall not be sought for in public council, nor sit high in the congregation: they shall not sit on the judges' seat, nor understand the sentence of judgment: they cannot declare justice and judgment: and they shall not be found where parables are spoken."

who thought themselves aggrieved by their proceedings. It was only by a legal process that it could be determined whether or not they had acted improperly, and he had not yet been shown the propriety of removing them from office before they were convicted of misconduct.

However sufficient the laws might be to punish rioters or other offenders, yet neither officers nor courts, nor extra forces that might be found necessary, could perform the duties required without support; but without forty thousand pounds in bills of credit, no provision for them, nor subsistence for a force to protect the back settlements from the Indians, was to be expected: and the excuse offered for declining to aid with men the expedition to Louisburg, that the three companies, of one hundred men each, sent to Carthagena, and the number engaged in privateering, had drained the province, must be deemed unfounded in truth, in the face of the returns just received showing an increase of more than sixteen thousand souls since 1738.

On the delivery of this document the secretary read a prorogation of the Assembly to the 19th November, then to meet at Trenton: but it was eventually dissolved.

GOVERNOR MORRIS TO THE LORDS OF TRADE.

Kingsbury October 23^d 1745

MY LORDS:—My last to your Lordships was on Jan^y 28 last, wth I sent the minutes of Councill and votes of Assembly, via New York by the Queen of Hungary, who was taken by the French; & duplicates of the same via Philadelphia by one Mesnard who arriv'd in London: to w^{ch} I beg leave to refer your Lordships.

I send by this the Proceedings in Council & Votes of Assembly to this time, to w^{ch} I humbly refer your Lordships. By these you may see the Contests I have had with them & the resolutions they have taken not to apply any of the money in the Treasury to the support of the Government, or, at most, not above halfe the sum usually given, unless the Council and myselfe will, Previous to what they call granting a support, assent to their bill for making £40,000 current in bills of credit, in the manner they have drawn it. The usuall support of Government which has been from September in y^e yeare 1738 to September in the year 1744 Inclusive, is at best much short of what it should be. The sallaries for the Judges, Attorney General, Clerk of the Council &c are much too small, and will hardly (if that) defray the charges of attending upon those offices; w^{ch} renders them in a manner contemptible. There has been no provision for Incidents, or messengers, or for the attendance of the Council, so that it is with difficulty I can get even the least Quorum of them to meet: and should I suspend them, the case would be the same with others put into their places.

The Government has been without any support for myselfe or any of the officers from Septemb^r 1744 till this time. Since that, as mostly before, I have paid the severall expresses sent to the Southern Governours, & from the Southward thro this Province to New York, as I have severall to distant parts of this Province, at my own Expence.

This is so far the Condition of this Province, and unless I assent to an act to make current £40,000 in Bills of credit, is likely to continue so; for this I beg leave to refer your Lps to the votes of the Assembly and what I have said to them on that head.

I sent with my packets of January 28th 1744 a representation made by his Majesties Council of this Province to me, in order to be lay'd before his Majestie: They there Give their reasons why they did not assent to the bills sent them by the Assembly, and in particular to the bill for making £40,000 Current in bills of Credit. I send two of them herewith Inclos'd for your Lps Perusal.

The Council neither have nor are likely to alter their Opinion in this Case, & unless the Assembly Can by this method of refusing a support, Compel them, (as I believe they will not,) and me too, to assent to what neither of us approve of, as it is now Propos'd, there will be no support for the Government; nor do I see that if either or both of us should assent to it, that there will be any greater security that the Government will then be supported than there is at Present; unless Care be taken to provide for it in the Act; w^{ch} the Assembly will by no means Consent to. And it will at all times be in their Power, as it is in their Inclina-

tions, to refuse it if not gratified in Every Instance they will please to Call necessary.

There are severall persons who have Entered upon Lands under Col-
lour of Indian purchase ; Contrary (as it is said) to the Laws allwaies in
force since this Government was settled, & upon Lands (as is said) Long
before purchas'd and paid for by others. One of these not Long since,
was taken by y^e Kings writ for a tresspass, and upon refusall to give back
was Committed ; and being in Prison, 100 or 150 or more Came about
the middle of the afternoon in Broad day & broke the Prison, and with
strong hand tooke him out ; withall threatning that they would take Every
one out that was put in on y^e score ; saying that they had Double the
numbers and would upon a like Occasion Come with them and Bring
down the Indians to assert their right.

I believe there are more than double the numbers willing to join
y^m, who are generally the dregs of the people and Enter upon any Lands
without any pretence of right, either from Indians or any body Else. As
for Indians, I take that to be bravado, there being but few : but how far
they may be influenc'd by French Intrigues, many of these people being
Irish, I know not. I recommended this affaire to the Assembly, but
without Effect ; and I have some reason to believe one of themselves is
more Concern'd than he should be. I shall do what I Can to put a stop
to it, but doubt the success, & Refer your Lps to the Minutes of Council
& Assembly on this head.

There Comes wth this an Act for giving £2000 to buy provisions for
the forces at Cape Breton. I assented to the Act because I believ'd it
would be of Great use towards the reduction of that place, not only on
account of the Provisions sent, but because it was likely to Lead the
way (as it did) to New York and Pensilvania, who were each able to
Contribute more to that Purpose. But this was by no meanes the Gift of
the people, nor did cost any one of them a penny, being Money taken out
of the treasury, rais'd and solely to be apply'd to the support of the Gov-
ernment ; and it is not unlikely was done by the Assembly as much with
a view to distress the Government as any other. I submit it to your
Lps whether, Agreeable to the last paragraph of a letter from Your Lps
board of the 13th of November 1711 to Governour Hunter, it be advisa-
ble to recommend it to his Majestie for his Approbation or not.

By the papers sent on y^e 28th of Jan'y last, your Lps may see that
the Assembly Complained of the Councils not being full. [A paragraph
similar to one in previous despatch follows.] I herewith send an account
of the numbers of the People by w^{ch} your Lps will see the Increase

since last numbered and what Proportion the Quakers beare to the rest.*

I have not reciev'd any thing from your Lps since yours of y^e 2nd of August 1744. The Confus'd and miserable Condition we are in here seemes to make the aid of his Majestie & his Ministers necessary both to the Province & to my Lords, &c

LEWIS MORRIS.

To the Lords of Trade.

TO THE DUKE OF NEWCASTLE.

Oct 22^d 1745 Kingsbury

MY LORD:—My Last to your Grace was on y^e 28th of Jan'y 1744, with the publick papers of the proceedings of the Councill and Assembly here till that time. I sent one Coppy by a ship via New York which was taken by the French; And a duplicate by one Mesnard in a ship from Pensylvania which arriv'd in London: So that I hope what was then sent was delivered to your Grace. Since which time I have had a long contest with our Assembly to procure a support for the Government, and an Act for the regulation of the Militia, for the Defence of the Province; neither of w^{ch} they will come into but in their own way: and declare they will not support the Government, unless the Councill and myselfe assent to an Act to make £40,000 current in bills of Credit; w^{ch} not being done the Government and all the officers in it have been without any support since the 23^d of September 1744; and like to continue so unless the Councill assent to a bill which they have drawne for that Purpose; and in the manner they have drawne it; and unless I allso give my assent to it.

I send your Grace all the Proceedings of Councill and Assembly to this time; and humbly refer to them. The Councill in their Representation to me to be laid before his Majestie gave their reason for not assenting to this and other bills: this I sent before and comes herewith Inclos'd to your Grace. The last Assembly Complained that the Councill was not full: tho they well knew I could not fill them to above Seven w^{ch} I allwaies did as there was occasion; and to take away as much as I could any Collour of Clamour, I humbly recommended to your Grace to Compleat

* The particulars of this census are unknown. The total number of inhabitants was 61,403; the increase in seven years having been 14,034. In some of the Western counties, Smith says, the increase since 1699 had been

"more than six for one." The original document, transmitted by Gov. M., is in the English State Paper Office—"N. J. Papers, Vol. V. p. 77: 12 folios long."

their number with the following persons viz Edward Antill and James Hude, call'd by me to the Councill and sworn to make up the number of seven residing Councillors ; w'ch I pray'd might be Confirmed : and to Compleat the number, I recommended to your Grace Andrew Johnston late speaker of the Assembly in the room of Cornelius Vanborne, dismiss'd at his owne request y^e 9th of June 1740 : John Coxe in the room of John Wills dismissed at his own desire at the same time ; and were he now willing to serve goes double and is unable to attend : Peter Kembol in the room of John Schuyler dismiss'd at his own earnest request the 1st December 1740 : Thomas Leonard in the room of Archibald Home deceased.

These will make Eleven residing Councillors ; And James Allexander, who resides at New York is the 12th : he is a man of very considerable interest in this Province as well as in New York : and attends the sittings at Amboy, but not at Burlington. But if your Grace thinks fit to change him because non-resident, I then recommend Richard Salter to be put in his place.

[Paragraphs of similar import to those in preceding despatch, referring to the Newark riot.]

I send by this an Act pass'd for laying out £2000 in Provisions for the use of the forces at Cape Breton ; it is taken out of the publick money rais'd for the support of the Government and is properly no gift of the people,—it not having Cost one man of them a groat :

I send your Grace an Account of the numbers of the people taken this yeare by w'ch it appears they are increas'd largely since last numbered in 1737 : but I believe there is some mistake in y^e number of Somerset, w'ch appears to be less than formerly, tho there has been since added to them a great part of another County ; and that pretty thick settled. I believe also there is some mistake in the number of Quakers, or reputed Quakers, which I think is represented more than they really are ; Yet Except Burlington & Gloucester, the proportion is very small to other folks.

The Councill say that they have a right to ammend or reject any bill sent to them by the Assembly w'ch they Concieve in any part or the whole Inconvenient to y^e Publick. The Assembly on the Other side own that the Councill have such a right : But say that as they represent the people they know what is Convenient for them ; & that the Councils rejecting their bills is a great Grievance to the publick ; And for that reason will not support the Government. The Councill say that they have Considerable Estates in the Country, and they are Concern'd in Interest to act for the publick good as much as y^e Assembly are, and know

what is so as well ; They take it much Amiss that they should presume to call the Council's rejecting any bill sent them by the Assembly a grievance to the publick, since they own that they have a right to do so.

Their refusing to support the Government because the Council rejected their bill to make £ 40,000 current in bills of Credit, and declaring that they will not support it as usual, but on Condition of their assenting to that bill, the Council take to be an open violent and unlawfull attempt to alter y^e Constitution here, and assume the whole power of Legislation to themselves: For which reason (I am told) The Council are for recieving no bills from them till they acknowledge their Error in this point, and the Council's Just authority in Legislation which (I am also told) the Assembly will not do.

This my Lord is the present state of affaires here ; there is no provision to make a defence against any attack by the Enemy Either from the Sea, or on our back settlements by Land. There is no support for the Government nor any officer in it ; nor has not been for above this twelve months ; nor is like to be, unless his Majestie will be Graciously pleas'd Effectually to Interpose, or use the aid of a British Parliament for that Purpose. The Circumstances of affaires here seeming to make one or both necessary. I am, &c

L. M.

TO RICHARD PARTRIDGE.

Kingsbury November 7th 1745

MY FRIEND PARTRIDGE :—I have reciev'd yours of July 1st 1745 by Waddel via New York, And also yours of y^e 3^d of May via Boston, and severall others ; and in particular one via Pensilvania by Cap' Mesnard. I thank you for all of them and for y^e Magazines and papers you sent in them, tho' their contents was something of the oldest ; but such things are allwayes acceptable to me. I wrote you an Answer to yours by Mesnard w^{ch} went via New York by the Queen of Hungary one Hilton master who it seemes was taken by the French. * * * * *

I thought it very imprudent in our Assembly to attempt the making any paper Currency here, untill we know what was like to be the fate of the bill Intended to be brought into Parliament ; As also that it was very Imprudent in them (to say no worse of it,) to vote that if that bill or any bill of that kind should pass it would be an Encroachment upon the Privileges & Concessions granted to this Government: there being no Privileges or Concessions ever granted to them of that kind : Or if there had, a British Parliament can take away any Privileges they Con-

cieve inconvenient without being said to Encroach. All Encroachments being in their own nature Illegal; which it would be very Imprudent for any the King's Governours to Join in saying, as it would be (as I thought) in any of them to appeare against a bill, seemingly made with view to oblige them to pay an obedience to their Master's Orders. I Observ'd to You that the Assembly who made these orders to Correspond with you were dissolv'd: But if they were not, they could at most be but orders from One of the branches of the Legislature; which you as an agent from the Government could not, as such, take any notice of: this was Chiefly the substance of that Letter; And as they have transmitted the publick papers to you, you will see or have seen what has pass'd on that head: to w'ch I refer.

Your advice to me I take very kindly, and would venture to go very great lengths (notwithstanding the Assemblies rudeness to me,) to make them Easie if I could: But the difference doth not truly lye betwixt them and me, as they would have the world believe; and as you by what you say, seem to believe; but is quite of another nature.

[Paragraphs follow recapitulating the grounds of difference between the Council and Assembly.]

In all this I am out of the case and if you can tell me which way I can give them any assurance of what they require, or what condescension of mine will make things Easie, You will much oblige Sir, &c

L. M.

This went in Bryant from New York without the following postscript. And duplicate by way of Phila^d by Mesnard who sail'd about y^e 10th of December 1745.

Postscript to the above by way of Philadelphia November 16th 1745.

Since writing the Above I reciev'd a duplicate from you of the 16th of August with a postscript of y^e 21 with some news-papers for which I thank you. I have reciev'd also two from the Board of Trade who blame the Assembly for doing all that in them lay to carry the fee bill into Execution, (which has a suspending Clause,) before the King's pleasure was known concerning it. This was a bold and unprecedented procedure, (to say no worse of it,) and it would not be amiss for you or some of your friends that correspond with those here, to Caution them against procedures of this kind, w'ch will certainly prove of dangerous Consequence to them if they do not alter their Conduct. L. M.

COMMODORE WARREN TO GOVERNOR MORRIS.

Louisbourg Novem^r 26th 1745

SIR:—His Grace the Duke of New Castle having by his Letter of the 10th August signified to me, that their Excellencies the Lords Justices had been pleas'd to recommend me to his Majesty (then at Hanover) to be appointed Governour of Louisbourg, and that I may expect my Commission for that Purpose by the next Opportunity; and this Garrison being much weakened by the return home of several of the New England Forces, and by sickness w^h is common to all Towns that have been for any Time besieged tho' otherwise very healthy, as is the Case of this by all acc^{ts}.

And his Majesty having shewn the highest Satisfaction in the Reduction of this important Garrison to his Obedience, by his American Subjects in Conjunction with a Squadron of his Ships; having also manifested his royal Intention to protect it against any Attempts that may be made by the French to recover it, by ordering immediately two Regiments from Gibraltar under a strong Convoy, and several Ordnance and other store ships from England with all manner of necessaries proper for the support of the Troops and Garrison, all w^h may be dayly expected here, if the Season should not prevent them, in which Case tis probable they may winter in the West Indies, where those Regiments may be disabled by sickness and other Disasters, and possibly not arrive so early in the Spring as to prevent any attempt upon us by the Enemy, who I am credibly informed are at this Time in Motion at Canada, with a Design to attack us this Winter or very early in the Spring; therefore, in Order to frustrate all their Designs, and do every thing that human Prudence can suggest for the Security of this important Acquisition, I hope upon this my Representation the same laudable zeal which induced you, and your Legislature to contribute so seasonable a Supply of Provisions & other necessaries for the Troops employed upon this Expedition, will prevail upon you to take all proper Measures to preserve and perpetuate to the british Nation a Conquest of such Consequence to our Country in General, and to all the Collonys in particular. The properest Method I can think of to support it is immediately to raise in your Government as many Men as you can, to be here the beginning of March at farthest, provided with a Quota of Provisions for their own Support for two or three Months, least by any means we should be short'ned here; any ex-

pence you may be at upon this Occasion, or any other for the support of this Garrison, I apprehend it in the Power of General Peperell and me to defray by Bills of Exchange upon the Govern^t at home : and that you may be the clearer in this my Apprehension I send you the Paragraph of his Grace the Duke of New Castle's Letter that empowers us to draw for the Expences of this Garrison.* Whatever Terms you shall make with such men as you shall raise for this Service shall be punctually comply'd with, whether they chuse to serve the King for any limited Time, in the American Forces (of whom his Majesty has it under his royal Consideration to establish one or more Regiments for the encouragement of the Officers & Men that have, or shall distinguish themselves) or return or chuse to stay and settle here as Inhabitants, upon such encouragement as by his Majestys Instructions, I shall be hereafter empowered to give.

The Disappointment the trading People have met with here, has given no one more uneasyness than myself. When the Garrison is put upon a regular footing, a free Port opened, and a Civil Government establish'd (as I imagine the Case will be, having recommended it in the strongest manner) the Trafick that may be carryed on here must be of very considerable Advantage to the Neighbouring Collonys.

I take this Opportunity to congratulate you upon the happy Success Governour Clinton and the other Commiss^{rs} have had in their Negotiations with the six Nations.

Governour Shirley, and I have sent some captive Indians to consult with those of Nova Scotia upon the Terms of a Peace which they themselves have proposed, & I dare hope this Step will have a good Effect, espetially as I have the assurances of the Duke of New Castle that proper Presents may be expected from England for those People.

I cannot conclude without observing that it appears to me to be of the greatest moment towards securing and rendering this Acquisition most extensively useful to his Majesty's Subjects, that the Gentleman with whom the Governmen^t of this Garrison is intrusted, should (at least during the War, or till the Country is well peopled) be an Officer who has the Command at sea, who wou'd by that means always be sure of Men as well as Shipping, and other materials requisite to annoy the Enemy in their Navigation to Canada ; and I flatter myself it is no unfortunate event for this place or the Collonys in General (whose Interests I have greatly at heart) that I am, at this critical juncture, appointed to act in both those Stations, tho that of Governour is so disagreeable to me, that I shall use all my endeavours to be reliev'd as soon as possible.

* " Morris Papers," No. 75.

You will do me the Justice to believe that my zealous Attachment to the Interests of his Majesty and his American Provinces, wou'd alone induce me to promote to the utmost of my Abilitys every thing I judged conducive thereto, be pleas'd nevertheless to observe, that I am authorized in the fullest manner by his Grace the Duke of New Castle circular Letter which I formerly sent you, dated at Whitehall January 3^d 1744-5 to make this Application to you. I am Sir, with great Regard

Your most Obed^t Serv^t

P. WARREN.

To his Excellency Lewis Morris Esq^r.

GOVERNOR CLINTON TO GOVERNOR MORRIS.

New York 12th Dec^r 1745

SIR:—I herewith send your Excellency an Extract of a Letter, which I received the 10th Instant; Whereby you may Observe, that if Albany should be cutt off, by the secret Designs of the Enemy, nothing less can be expected than a Revolt of the six Nations of Indians from their Engagements to the British Interest; and shou'd that be the Case, The Frontiers of all His Majesty's Colonys on the Continent, must openly be exposed to the Incursions of the French, and the Insults of the Indians under their Influence.

Wherefore I am of Opinion that it behoves each respective Governour upon this Continent, not only to be Watchful for the Safety of their Governments, but be also in a Readiness to assist their Neighbours, for his Majesty's Service, against any sudden Attack of the Enemy, of which a Settlement on the Frontiers of this province, is (to my great Concern) too early an Instance, and which might in all probability have been avoided, had the Assembly given a Due Attention to my Forewarnings of such Misfortunes.

These Tidings I think incumbent on your Excellency to Communicate to your Neighbouring Governour, as soon as possible, And for that End I have transmitted this by Express. I am with great Respect Sir,

Your Excell^{ty}'s most obed^t humble Servant,

G. CLINTON.

His Excellency Lewis Morris Esq^r.

ENCLOSED IN THE FOREGOING.

*Extract of Major Swartwout's Letter dated Minisink 2^d December
1745 in the province of New York*

I thought it my Duty to make known to your Excellency the Report which hath been made known to me by two particular Indians, tho' not both together, and is as followeth Viz'. First one Lamuit came to my House where I live in Minisink, and saith in Sobriety and in Sincerity that there came a young Indian from the French Town or Settlement of the Branch of Mississippi, which I think is Called the West Branch, and told me that the young Indian told him that the French and French Indians had made a great House full of snow shoes. I Asked further of Lamuit what he said they were designed for: the young Indian Answered that their design was as soon as the snow came to destroy Albany, Soapus and Minisink, and likewise the Frontiers of Jersey & Pensylvania, Whereupon a few days after One Roghso an Indian of his Own Accord in sobriety Confirmed the same Relation about the 10th of November last.

JACOBUS SWARTWOUT.

Ex^d pr Jn^c Catherwood Sec^{ry}.

 GOVERNOR MORRIS TO GOVERNOR CLINTON.
Kingsbury y^e 13^d of December past 8 at night

SIR:—I reciev'd your Excell^y's Just now in great pain, & shall send it to Philadelphia to M^r Thomas wth all the speed I can. I am sorry to tell you that both Govern^r Thomas and myselfe have such people to deale with that little is to be expected from them Even in the most Eminent danger; and unless the Crown make some Effectuall orders to prevent Quakers from being in the Legislature we can neither help our neighbours nor ourselves, and these two provinces will be Expos'd both by Sea and Land to any Enemy y^e will disturb them. Coll Thomas has told me that there is a great number (some thousands) in that Province of Irish dispos'd to Joine them. I dare not tell the Ministry this, lest my letters should fall into the hands of the Enemy; and we have too many pretended Enthusiasts in this province that there is reason to suspect are more in their Interest than they should be. I have Just ordered writs

for a new Assembly wherein I expect but little Change from y^e old : I spoke to the last upon the head of Albany, but without the success I desired : they being resolv'd to do nothing Even for their own defence. Inclos'd is my last message to them at parting wth them. I wish you may have better luck : tho most Assemblys that I have been acquainted with, Value themselves on a narrow way of thinking, seldom constant wth the publick Good or safety. I am, &c

L. M.

To Govern^r Clinton.

GOVERNOR SHIRLEY TO GOVERNOR MORRIS.

Boston Jan^r 13th 1745-6.

SIR:—As I think it of the utmost Importance to His Majesty's Service, I take the Liberty to apprise you that I fully expect that the Canadeans will make a more vigorous Attempt upon His Majesty's Garrison at Annapolis Royal early next Spring, than they have done in either of the two last ; in which, if they should succeed, they will have an immediate Addition of near 6000 fighting Men from among the French Inhabitants of Nova Scotia, who upon the Appearance of a Strength sufficient to master the Fort are ready, it is not doubted by the Officers there, even now, to join openly in attacking it ; And I am far from thinking it impossible that such a force may appear this Spring from Canada before the Garrison, as within a fortnight's or three Week's time at farthest might probably reduce it, without Succours sent to it from Louisbourg or the Colonies—And as the Acquisition of Nova Scotia would not only put into the Enemy's Hands a Provision-Country capable of supporting a Body of 10,000 Men ready upon Occasion to land at Cape Breton within 48 Hours' notice to join in any Attempt for the Recovery of Louisbourg, but furnish 'em with near 6000 Men towards it, besides the Cape Sable & St John's & other neighbouring Tribes of Accadie Indians (which may be computed, as I am inform'd, to contain about 1500 fighting Men more & would in such Case be intirely at the Enemy's Devotion) it seems to be a necessary previous Step for them to attempt making with their utmost force in order to facilitate their regaining of Cape Breton. But should that be thought impracticable even with what Assistance the Enemy could have from Nova Scotia, yet it is apparently the best Method they can think of to indemnify themselves for the Loss of Louisbourg, as they would by that means have it in their Power irresistibly to break up all our Eastern Settlements, & probably (in my opinion) the whole Province of New Hampshire ; and how far they might by the

Help of this Conquest penetrate into all the Colonies as far as Georgia itself (especially if they should gain over to 'em the Six Nations upon their Success,) when their Schemes form'd from Crown Point only are so extensive, it may be difficult to say ; But it would certainly give 'em a very strong & dangerous Hold upon this Continent, if they should keep Nova Scotia ; And I am affraid we should find it very difficult to drive 'em off from it, if we suffer 'em once to get Possession of it.

I would farther submit to your Excellency's Consideration whether tho' it should be doubted whether the Loss of Louisbourg would be the immediate Consequence of our loosing Nova Scotia, yet if the French should recover Louisbourg from His Majesty this Spring, whether I say, that would not be attended with the immediate Loss of Nova Scotia : I must acknowledge it seems to me that it certainly would ; And how fatal would such an Event be to all the Colonies as well in respect of their Estates & Possessions on the Land, as of their Trade and Navigation at Sea ; and in what a bad Situation must they then be, thus hemm'd in with French Settlements on their backs from their most Eastern point up as far as the Mississippi, especially as the Enemy would be supported by their Possession of Cape Breton ? In such case I believe no body would doubt but that the Enemy would soon think of disputing the Mastery of the Continent with us ; and no one of His Majesty's Colonies could reasonably flatter themselves with Sharing a better fate than their Neighbours, except perhaps the favour of being swallow'd up the last.

Tho these Consequences may seem remote, yet they are far from being impossible, and I mention them to you to shew how possible it is for the French to turn the Tables upon us here, notwithstanding our late Success ; and how necessary it is for his Majesty's Colonies to prepare for the Support of our late Acquisition, by having a Number of Men ready to throw into Louisbourg for the Defence of it, in Case any Misfortune should happen to the two Gibraltar Regiments in their Passage thither, and Sir William Pepperell & myself should fail of Success in raising the two American Regiments design'd for that Garrison, which it seems extremely difficult for us to do, if not wholly impracticable at least in time for the Service ; in which Case I need not observe to you that the defence & Protection of Louisbourg on the Land side must rest wholly upon the Colonies ; And I hope it will be consider'd by the Gentlemen of your Assembly how much this Province has already been exhausted of Men by the late Expedition, having sent upon that Service & since the Reduction of the Place, upwards of 5000 including the Sea & Land forces, Mariners on board the Transports (almost constantly employ'd in the Service) and the Sea Men rais'd for manning his Majesty's Ship Vigi-

lant, 800 or 1000 of which may be reckon'd to have dy'd upon Duty, or immediately after their Return from it; and how less able it is by that means to furnish a Number of Men sufficient for the Defence & Preservation of the Place this Spring (which I compute at four Thousand) so that it will be absolutely necessary for the Province of New Jersey and all the Neighbouring Governments which have not yet rais'd any Men for his Majesty's Service in the Expedition, to furnish a large Number; three Hundred of w^{ch} I should hope yours would raise; especially as it can't possibly be doubted but that the Expence of it would be reimburs'd by His Majesty whatever may become of the Charges incurr'd before this Acquisition was made by His Majesty one of His Governments: And it must greatly recommend the Province to his Majesty's Favour; not to mention that tho' New Jersey is not perhaps at present as deeply interested in the Preservation of this Place as the Massachusetts Bay is, yet it is doubtless very deeply interested in it, and must expect to feel most severe Effects from the Loss of it—— And I think no time should be lost by any of the Governments for setting about the raising of some Men at least, which will infallibly be wanted this Spring for the Protection of the Garrison, as it must be expected, I am inform'd, that the two Gibraltar Regiments w^{ch} should consist of 700 Men each will be short of their Complement near one third part upon their Arrival, (should they safely arrive at Louisbourg) and there seems to be no prospect of the American Regiments which are to consist of 1000 Men each, being compleat by the End of March; by which time or the first Week in April at farthest the Garrison ought to have it's whole Complement, or for want of it may possibly be lost.

I doubt not but you will out of your distinguish'd Zeal for His Majesty's Service and the Good of the Common Cause recommend these Matters to the Gentlemen of your Assembly at this Critical Conjunction; For my own Part I must acknowledge in Justice to the Assembly of this Province that I have the Satisfaction to find 'em spirited in the best manner for His Majesty's Service and the general Good of the Colonies, and I believe dispos'd for any prudent Attempt in Conjunction with the Neighbouring Governments, whether for the Reduction of the Enemy's Fort at Crown Point, or even Canada itself; w^{ch} would indeed be cutting all the Evils up at once by the Roots, and laying the most sure Foundation for the Welfare & Prosperity of His Majesty's Northern Colonies in general & might perhaps (were all the Colonies heartily to concur in it) be effected at His Majesty's Expence, with not much less difficulty than the reducing of Crown Point itself; but as in this Case a Strong Squadron of His Majesty's Ships with some regular Troops seem neces-

sary for blocking up Quebeck, and an Enterprize of such Consequence and Expence ought not to be set on foot without His Majesty's Express Directions I shall say no more of it.

I will only trouble you with remarking farther that the Fort at Crown Point, w^{ch} is an Encroachment chiefly owing to a Neglect to oppose the erecting of it at first, and might have been prevented with much more Ease than the Fort can be now reduc'd, or the Dangers w^{ch} threaten us from thence be guarded against, seems to be a most Convincing Proof the ill Consequences which generally attend delay or Supineness in acting against the Enemy, & should make us more vigilant and active in our Proceedings at this Dangerous Crisis. I am with the most Perfect regard

Your Excell^y's most Obedient Humble Servant

W SHIRLEY.

His Excell^y Gov^r Morris.

GOVERNOR CLINTON TO GOVERNOR MORRIS.

New York 27th Jan^y 1745-6

SIR:—Pursuant to my Recommendation to the Council & Assembly to make provision for the appointment of Commissioners for this Province to treat with such Commissioners as are or shall be appointed by the Neighbouring Governments upon concerting Measures for our mutual Security Defence and Conduct during the present War, Committees of both Houses have conferred upon the Subject Matter thereof, and requested me to appoint Commissioners for that purpose, who are to make Report of their proceedings with their Opinions thereupon, that such Measures may be taken Jointly with the several Governments as shall be Judged most expedient.

They have likewise desired me to represent to the several Governments upon the Continent, the wavering Disposition of the Indians, and the fatal Consequences which may arise to all the Colonys in General, in Case they should be withdrawn from their Fidelity and Dependance upon the British Interest: Whereupon there seems to be an absolute necessity for the Colonys uniting their Endeavours at all Events, to secure the Indians effectually in our Interest at this critical Conjunction, as the Enemy leave no Artifice untryed to seduce them, having many Jesuitical Emissarys constantly residing amongst them; and should they at length prevail with them to Revolt, The Frontiers of the respective Colonys, sub-

ject to His Majesty, must lye open and exposed to the Insults of the French and Savages.

As a Union of Councils from the several Governments will be the most likely means for defeat the Designs of so barbarous an Enemy, and advancing the Common Cause of His Majesty's Subjects upon the Continent, I doubt not but you will think proper to communicate this Representation to your Couucil and Assembly; and to recommend it to them to follow the like Example with this Government, that Commissioners may be appointed by Your Excellency to answer such laudable Ends.

One of our Pilot boats is just come up & brings me word there is at y^e Hook one of the Transports with 200 Men on board bound to Louisbourg, who parted with the rest of the fleet 8 days ago, y^e Adm^l Rowley has taken Genoa. I am in great haste for y^e post

Sir, Your Exce^l's most obedient & most humble servant

G. CLINTON.

His Excellency Lewis Morris Esq^r.

GOVERNOR MORRIS TO COMMODORE WARREN.

Kingsbury Feb^r 3^d 1745-6

SIR:—Yours of the 26th of November, w^{ch} came not to my hands till the 3^d of Jan^r, I had answered sooner had not my great Indisposition of body prevented me, & even still renders me less capable of saying what should be said on the head you write.

I congratulate his Majestie's appointing you Governour of Louisbourg a place y^e you had so great a share in the reduction of to his Majestie's obedience, and heartily wish it may prove advantageous to you: and am of opinion that, as things are circumstanc'd, that command is best plac'd in a sea officer if he has a strong navall force under his command to protect it or make further attempts upon the Enemy as opportunities may offer to gather fresh Lawrells, w^{ch} to you will be unenvied.

The paragraph of his Grace's letter has relation to what you wrote to him concerning the then present wants of the place, but whether it empowers you to comply wth the agreements made by other Governours for the raising of men is a question; & seemes to require something more express than is contain'd in them for y^e purpose: but of this you must know best. I believe three or perhaps foure Companies may be rais'd here, but then the Captaines, y^e 1st Lieutenants at least, & some of the other officers, will expect to be continued and have commissions sent

them here, and the charges of transporting them paid, without w^{ch} it seemes impracticable to raise many, if any.

Our Assembly are soon to meet, and I shall then lay your letters and some others on that head before them, but as they consist chiefly of Quakers and men under their Influence, I have very little hopes of Prevailing on them to do any thing even for their own defence, much less of doing any thing for the preservation of Louisbourgh, Nova Scotia, or the reduction of Canada.

These things, however evidently necessary, seem to require orders from Britain, & I am afraid the aid of a British Parliament to render these orders effectual; at least in Jersey and Pennsylvania, where Quakers have so great a share in Legislation: the danger of w^{ch} I wish may not be perceiv'd too late.

Since the rece't of yours, Govern' Clinton tells me one of the transports wth 200 men came into Sandy hooke and brings an acc't of Admirall Rowley's taking of Genoa, w^{ch} I hope is true; & that the rest of them are safely arriv'd wth you.

I am, &c

L. M.

To his Excellency Peter Warren Esqr, Captain Generall & Governour in Chief of his Majestie's Garrison at Louisbourgh, &c &c &c

TO GOVERNOR CLINTON.

Kingsbury feb' 3^d 1745-5.

SIR:—I have ye hon' of yours of y^e 27th Jan^r and thank you for the news of the taking of Genoa w^{ch} I hope is true: But doubt it. I made use of your extract of Swartwout's letter which I hoped would be attended with good effects, but Those I have to do with give me little reason for any hopes of that kind. What Swartwout said meets with no credit this way, nor will any thing that comes from him, being an Ignorant credulous man, (I think an Inhabitant of this province), and well knowne amongst us.

The taking proper measures for the mutuall defence of the Governments, and appointing Commissioners to treat upon that foot, may be of good use if they have or can have sufficient powers for that purpose, & the severall Assemblies heartily come into proper measures; but with us & Pennsylvania whose Assembly consists of Quakers and those under their influence little of that kind is expected from them, either now or while they continue to have any share in legislation: & I should think

nothing would go farther towards y^e enabling these Provinces to provide for their mutuall defence if attack'd, or to prevent their being so, and the dangerous consequence that may attend such an attempt, than the removing Quakers from all share in legislation. We might then possibly agree upon y^e reduction of Canada with assistance of a good navall force, but while Quakers are in Assembly it seemes Impracticable to me that a proposall of that kind or any other for our defence, will be attended with any other effect than to let our enemies see our weakness, and the great Interest they have amongst us; w^{ch} I hope our masters will see before it is too late. However I shall lay your letter before our Assembly, w^{ch} will soon meet: But I believe to as little purpose either for their own defence or their neighbours as they have done for some time pass'd.

I am, &c

L. M.

TO GOVERNOR SHIRLEY.

Kingsbury Feby 3^d 1745-6

SIR:—Your Exce^{ll}a of Jan^y 13th came to hand on y^e 30th. Tho what you say with regard to the designs of the French are not very Possible, but also not unlikely, yet I am sorry to tell you that the people I have to do with, who Studiously avoid coming into any thing of that kind, will hardly be prevail'd upon to do any thing in it whatever the reall or apparent necessity may be of doing so. I shall lay your letter before our Assembly at their next meeting, w^{ch} will be soon, and wish it may be attended with better success than I expect from it. I Joine with you in thinking that an attempt to drive y^e French out of Canada is striking at the root, and, if our masters at home will permit it & assist us, not Impracticable, and with less expence to the whole than any other way; but as things are at present circumstanced with us here and in Pensylvania, where the Assembly chiefly consist of Quakers or those under their Influence, it seemes Impracticable to propose an attempt of that kind to people who will leave no method unessay'd to oppose it: and therefore, while Quakers have any share in Legislation a Junction of the whole in so laudable and I think feasible an undertaking is not to be expected; and less than the whole will hardly do. This I think a matter of such consequence, that no endeavours should be wanting to remove them from any share of Legislation in any of the Plantations: But this I submit to your better consideration.

I am &c

L. M.

To Govern^r Shirley.

TO GOVERNOR SHIRLEY.

Kingsbury Febr^y 4th 1745-6.

SIR:—My yesterday's letter is an answer to yours of the 13th, by w^{ch} you may guess what success it is likely to have however reasonable in itself with our Assembly. To yours of the 4th I beg leave to say that the Hon^r his Majestie has done you in giving you a regiment, gives me a sensible pleasure, being what at least you were Intitled to for laying and bringing to effect a scheme of such vast consequence to the British nation, & w^{ch} must be allwaies thought of and mention'd to your honour, whatever other reward you meet with for the successfull share you had in it. I cant help thinking that the not sending you more Commissions than came to gratifie your people may prove of dangerous Consequence, and those who had so much reason to expect favours of that kind will naturally be discourag'd, and induced to discourage others. We can raise three or 400 men I believe, but not one man capable of raising 100 men will take any paines about it, unless he is morally certain of commanding them; and the first Lieutenants, at least, are possessed with the same notions, and, unless comply'd with, the raising, or even Recruiting of men, seemes to me next to impracticable. You seem to have hard usage on y^e score of the levy money, but hope your writing to y^e Duke of New Castle and the Rt Hon^{ble} Henry Pelham, or those concern'd, may in time remedy that; but whether any thing will remedy or prevent the great discouragement y^t the not sending Commissions will occasion, both wth you and elsewhere, to attempts of this kind unless a quite contrary conduct I confess is difficult to say; however that be I wish it were as much in my power as it is in my inclinations to contribute to your Successe: and am &c,

L. M.

To Governor Shirley.

TO GOVERNOR THOMAS.*Kingsbury 15 March 1745-6*

SIR:—By Express I Just recieved the Inclos'd packet for Governor Gooch. It is from Gover^r Shirley, advising that he has provided Pilots to conduct the transports at Virginia Immediately to Louisbough: and that he has letters from Admirall Warren. Press Cap^t Collins's saying

with all Expedition. I therefore desire your Honour will send it forward as soon as may be with the like advice to the Governour of *Maryland*.

I am, with great regard, Sir &c L. M.

To Govern^r Thomas.

The new Assembly was called for the 4th February, 1746, at Perth Amboy, but were prorogued from time to time, until the 26th, when they met at Trenton. The following were the members returned:

- For *Perth Amboy*—Samuel Nevill, Pontius Stelle.
 “ *Middlesex county*—Philip Kearny, John Heard.
 “ *Monmouth county*—John Eaton, Robert Lawrence.
 “ *Essex county*—John Crane, John Low.
 “ *Somerset county*—J. Van Middleswart, Hendrick Fisher.
 “ *Bergen county*—L. Van Buskirk, David Demarest.
 “ *Burlington*—Richard Smith, Jr., Daniel Smith.
 “ *Burlington county*—William Cook, Samuel Wright.
 “ *Gloucester county*—Joseph Cooper, Ebenezer Hopkins.
 “ *Salem county*—William Hancock, John Brick.
 “ *Cape May county*—Aaron Leaming, Jr., Jacob Spicer.
 “ *Hunterdon and Mor-* } William Mott, John Emley.
 ris counties—

The trouble and expense to which the province had been subjected for this election resulted only in the change of two members—Kearny and Emley being returned instead of Farmar and Doughty.

Robert Lawrence was elected speaker on the 27th February, but it was not until the 4th March that the governor delivered his speech. Owing to the infirmities which were now pressing heavily upon him, or to some indications of a spirit of compromise on the part of the representatives, the governor addressed them in remarkably gentle terms. The speech is here given from the governor's own copy.

GOVERNOR MORRIS'S SPEECH TO THE ASSEMBLY, MARCH 4,
1745-6.

GENTLEMEN OF THE ASSEMBLY:—Your country having made choice of you to represent them I am in hopes that it will answer the good ends of their doing it, and prove beneficial to all concern'd in the Issue of your meeting.

The situation of things both with respect to our selves and our neighbours made the meeting of you at this time (or indeed sooner had it been practicable) necessary; and I am sorry to tell you what you and all that behold me may see, that my ill state of health would not permit me to meet you at Amboy, as I fully purposed (had I been able) to have done: This was so evident to the gentlemen of the Council at their Late meeting that they advised me to Call you to this place; and this being the true reason of my doing so, will, I hope, meet with a favourable Construction.

I need not tell you that the Support of his Majesty's Government has been long since Expired; and that there is not, nor hath not been for some time past, any provision for the Officers necessary to Administer it; without which it cannot be done, nor the Salutary Intentions of his Majesty's erecting this into a separate Government be Answer'd.

I have been at the sole charge of Expresses sent with the Publick Letters both to the Southern and Northern Governours as well as those necessary to be employ'd in this Government: A time of war will make things of this kind more Frequent than usual, as it will the Oftener meeting of the Gentlemen of his Majesty's Council, and Expresses to Summon them, as well as Messengers on other Occasions.

I shall not enlarge upon this head farther than heartily to recommend to the Gentlemen of the Council and to you to Agree upon such a disposition of the money raised and solely, by the Law that makes it, apply'd to the support of the Government, and the Incidents necessary for that Purpose as will truly answer the ends of raising it in the manner it was done; and that without giving Just reason of Complaint to any body, or room for our Superiors to remark on a Different Conduct.

His Majesty's Attorney Generall will Lay before you an Account of a great Riot or rather Insurrection at Newark.*—This was a natural conse-

* As the governor says, this riot was been meted out then, on Thursday, the natural consequence of the one in January 13th, a repetition of the offence, but in a more aggravated form, September. No punishment having

quence of one that was some time before that; and tho' I did what by advice of his Majesty's Council they Judg'd at that time sufficient to put a check to an evil that had too great a probability of growing bigger, and to prevent its Doing so, yet (as appears) it was without the effect intended. So open and avowed an Attempt in Defiance of the Government and Contempt of the Laws, if not high Treason, makes so nigh approaches to it, as seems but too likely to End in Rebellion and throwing off his Majesty's Authority, if timely measures be not taken to check the Intemperance of a too Lycentious multitude. I therefore Recommend this matter to your most serious consideration.

GENTLEMEN OF THE COUNCIL & ASSEMBLY:—A sincere and hearty union amongst our selves is at all times desirable, and the true Interest of Every good man and lover of his Country to promote; as it is the Duty of all to use their Endeavours that it should subsist amongst us, as being the best and firmest foundation of our peace and happiness: But in time of war when Dangers threaten, and unforeseen accidents often render ineffectuall the best concerted measures, an Union & Agreement amongst ourselves is absolutely necessary for our safety; I do therefore at this critical Juncture recommend to you the promoting to the utmost of your power an Agreement so evidently necessary for the publick welfare; and to discourage every attempt that hath in the least a Contrary tendency. That some provision may be made both for our defence against our Enemy's abroad, and for our security at home, by putting an Effectuall stop to the

was committed. The day before, under an order from the Governor and Council, Nehemiah Baldwin and two others were committed to Newark jail in consequence of their participating in the previous disturbance. On the day first referred to, Baldwin was taken out by the sheriff to be presented to a magistrate for some purpose—one account says, to have him admitted to bail, which another denies, stating that all three refused to give bail—and on the way a large number of persons appeared, armed with cudgels, and rescued the prisoner in a violent manner. The sheriff then retreated to the jail and raised a guard of thirty men for its protection; but the mob, having received reinforcements, swelling

their numbers to several hundreds, attacked the guard and obtained the mastery, opened the jail, and released all the prisoners, for whatever offence confined; using many threatening expressions, and having every thing their own way, giving and receiving some wounds and bruises. It was asserted that, had the attempt been unsuccessful, they would have been joined the following night by as great if not a greater number. It is to these riots, and the difficulties out of which they arose, that the Appendix to the Elizabethtown Bill in Chancery refers; an examination of which will place the subject in a true light before the reader.

malevolent attempts against it: As well as some provision for the Assistance of our neighbours when necessary for their security or the preservation of his Majesty's Dominions and Interest: This Gentlemen, as it deserves, so I hope it will Effectually engage your serious attention & consideration.

GENTLEMEN OF THE ASSEMBLY:—What I have said before has chiefly been with Regard to ourselves and the present scituation of our own affairs, which I hope will not be without having its due weight and effect with you.

I have lately recieved from the Governors of New York, Boston, & Louisbourg, letters relating to the publick affairs & scituation of things at this Juncture, in which we are or may be greatly concerned. I shall lay them before you for your consideration which I hope will be adequate to the importance of the subject matter of them, Especially those of Governor Clinton & the Governor of Boston—so far as they relate to the likeliest methods of the defence of all concerned.

GENTLEMEN OF THE COUNCILL AND ASSEMBLY:—You have now an opportunity of doing much good for the publick and I hope no Endeavours will be wanting on either part Effectually to promote it; and that the bills you shall agree upon to prepare for my Assent to be Enacted into Laws may be so Justly and Judiciously drawn for that purpose that I may be under no difficulty of Giving it.

The God of Peace direct your Consultations for the Generall Good.

LEWIS MORRIS.

The House entered at once upon the consideration of this speech, and on the 6th March a committee, comprising Messrs. Smith, Eaton, Nevill, Cook, and Low, were ordered to prepare and bring in an address in answer thereto. And as evidence of what might be expected from them, and in accordance, it is presumed, with an understanding previously had with the governor, committees were also appointed to bring in bills for the support of the government and regulating the militia.

The address was delivered to the governor at

Kingsbury on the 11th March, and was in all respects conciliatory, affording a striking contrast to similar documents which had emanated from the same representatives on previous occasions. Satisfied with the reasons given for calling them to Trenton, they merely hoped their meeting elsewhere than at Amboy or Burlington would not become the practice oftener than extraordinary occasions might require. They were prepared to supply the necessary support to the government, and would cheerfully join in devising measures for suppressing all insurrectionary proceedings, and in adopting such a course as might tend to the security of the province or to the assistance of their neighbors.

It may have been with a view to account for their apparent concessions, or to argue themselves into the belief that they were called for by the condition of affairs, that the following paragraph was introduced :

“ The people of New Jersey have always been of the opinion, that a sincere and hearty agreement amongst ourselves is at all times desirable, and now in a time of war with our foreign enemies, and when a most unaccountable rebellion is stirred up and carried on in our Mother country, by a Popish Pretender and his abandoned faction, against our rightful and lawful Sovereign King George the Second, we think such an agreement absolutely necessary, as well for his Majesty’s interest as our own safety, which we esteem to be inseperable : And notwithstanding any thing that may have been suggested to the contrary concerning us, we have so good an agreement subsisting among ourselves, as we hope will at all times discourage every thing of a contrary tendency, and that nothing less than what we conceive to be the true interest of his Majesty, and the people of this colony, shall ever prevail on us to enter into a controversy with any other branch of the Legislature. And we hope they will heartily join with us in removing every grievance that may be likely to promote it, so that a perfect union amongst all the branches of the legislature may be thereby established upon a solid and lasting foundation.”

Most cordially did the governor respond in thanks for "this kind and hearty address," and legislation for a time proceeded most harmoniously. The bill regulating the militia passed the House on the 14th; and the complaints against the election of Andrew Reed as loan officer by the justices of Hunterdon county, which had failed previously to impress the governor with any sense of obligation to investigate or remove them, he engaged to consult the attorney general upon, and should lay before the Council and Assembly such method of procedure as might be deemed best calculated to bring the matter to a definite conclusion. But as late as the 23d April, by the casting vote of the speaker, an entry was ordered to be made on the minutes to the effect that the House was not yet aware of any action by the governor in the matter.

On the 15th March the Assembly was prorogued for a fortnight, and on reassembling entered upon the preparation of the bills for preventing actions under fifteen pounds being brought in the Supreme Court:— for making forty thousand pounds in bills of credit:— and for regulating the giving of security by sheriffs, which had so repeatedly been before that body. The first-named failed to secure the approval of the Council, but the other two, with the bill regulating the militia, passed both Houses and were sent to the governor for his assent.

On the 5th April, the following letters were received by the Assembly from Governor Morris:

GOVERNOR MORRIS TO THE SPEAKER OF THE ASSEMBLY.

Kingsbury April 4th 1746

SIR:—I reciev'd by the last post the Inclos'd Letter and papers from Governor Clinton, w'ch I send for the Consideration of your house; hav-

ing already communicated them to y^e Council. You will see by them that contrary to their Engagements formerly made, the 5 nations refuse taking up y^e hatchet against the French and their Indians, & being of y^e same blood wth y^e French Indians for that reason positively refuse to war with them; w^{ch} they hope will not hinder the Covenant Chain from being as bright as ever, no more than our not rebuilding any of their Castles w^{ch} y^e French destroyed, but that of y^e Mohawks hindered it at that time. It seems plain from this, how ready they were to make use of any pretence to blame us, & yet all know y^t his Majestie and the people of New York have at a very great Expence, for a long course of years, dearly purchas'd and paid for what is call'd their friendship, in which I doubt not some people in most of that time have found their account; but as they can hardly be thought Ignorant of the Killing of the New England men by these relations of theirs, nor of their designe against Saraghtoga, so their declining to give any answer to the charge of insincerity against y^m in not keeping to the articles of their treaty, (w^{ch} is evident they will not,) seemes to shew what we are to expect from them; and consequently how necessary it is to provide for our owne defence in y^e best manner we are able, as well as for y^e assistance of our neighbours, should there be (as its likely there will,) be occasion for it. I leave this whole matter and the contents of the papers I send to the Consideration of the house and am Sir &c

L. M.

GOVERNOR CLINTON TO GOVERNOR MORRIS.

New York 31 Mar: 1746

SIR:—I acquainted Your Excellency the 27th Janr^y last, that Committees of both Houses had requested me to appoint Commissioners, to treat with Commissioners to be appointed by the Neighbouring Governments, touching our mutual Security and Defence during the present War. I have accordingly appointed Commissioners for that purpose, so has Governour Shirley, and I hope the like steps will be taken by Your Government without delay; In the mean time I have inclosed Copyys of the Minutes of the Commissioners for Indian Affairs of 25th Feby last, containing the Resolution of the Six Nations of Indians, as signified by the Interpreter, in answer to my Message, requiring them to enter into the War with us ag^t the French and Indians in alliance with them, that it may appear to You, how highly it imports the several Colonys upon the Continent to unite their Endeavours with this, effectually to

preserve the Six Nations, and the other Indians in alliance with us & them, in their Fidelity to his Majesty, and Dependence upon the British Interest, as all are so nearly concerned in the consequences of their Revolt, which seems next to be apprehended, since they have refused engaging in the War. I am with great Respect, Sir,

Your Excell^{ty} most Obedient humble servant

G. CLINTON.

His Excell^{ty} Lewis Morris Esqr.

ENCLOSED IN THE FOREGOING.

*At a Meeting of the Commissioners of Indian Affairs the 22^d day of
January 1745-6.*

Present

HUBERT MARSHALL
CONELIS CUYLER
DIRCK TEN BROOCK
NICHOLAS BLEEKER
PHILIP SCHUYLER
HENDRICK TEN EYCK
JOHANNES LANSINGH
JOHN DEPEYSTER
STEPHEN RENSALAER

} Esq^{ts} Commissioners of Indian
Affairs

The Commissioners Gave the following Instructions to the Interpreter who they sent to Each Respective Castle of the six Nations Viz.

Instructions for Mr Jacob Bleeker.—You are hereby Required and Commanded forthwith to go to the Respective Castles of the Six Nations, and tell them that his Excellency our Governor Orders them to take up the Hatchet against the french and their Indians, and Join with Us Immediately in the War against them According to their Engagement; Since the Insults and Outrages Committed at Saratogue take away all hopes of a Neutrality, and if they will Approve themselves faithfull, they must demonstrate their Sincerity to the Great King their father by a Ready & Cheerfull Obediance to his Commands in this Respect

You are to Acquaint them that there is a Reward of twenty pounds allowed for Every Male prisoner taken of the Enemy, Above the Age of sixteen Years, and ten pounds for the Scalp of Every Male of the Enemy above that Age, and for the Scalp of Every Male of the Enemy under

that Age five pounds, and for Every Male under that Age taken prisoner ten pounds which shall be Immediately paid to them for Each prisoner or Scalp they or any of them shall bring to the Commissioners.

You are Likewise to Ask them the Reason of their not Sending down ten Men of Each Castle to go out on the Scout According to their promise to you. You may take with you four White Men and four Indians for your Assistance, who you must agree with as Reasonably as you Can, and buy Necessary provisions for yourself and them. You are to Inform yourself of all News and what is doing amongst them, and if any french Men and french Indians now are or lately have been amongst them: if you hear anything of moment you are to Dispatch a Messenger forthwith to Acquaint Us therewith And We give you a Belt and Seven Hands of Wampum to Confirm the Above Message Dated the twenty Second day of January 1745-6.

At a Meeting of the Commissioners of Indian Affairs the 25th day of February 1745-6

Present

HUBERT MARSHALL	} Esq ^r Comm ^r of Ind ^a Aff ⁿ
MYNDERT SCHUYLER	
CORNELIS CUYLER	
NICHOLAS BLEEKER	
JOHANNES LANSING	
JOHN DEPEYSTER	
HENDRICK TEN EYCK	
DIRCK TEN BROOK	
REYER GERRITSE	

The Interpreter returned and said the Sachims of the six Nations gave the following Answer to his Excellency's Message :

When he went to the Mohawks the Sachims did not think the Belt of Wampum he had large enough, so he caused it to be made bigger and then told them his Message according to his Excellency's Orders. The Sachims said they could give no Answer there, but would go with him to Connajoharie, Accordingly six of their principal Sachims went with him. When he arrived at Connajoharie he told his Message to the Sachims of both Castles met together, They answered that whatever the six Nations did they would do.

He went from thence with two white Men & three Indians in Company to Oneyde, When he arrived at Oneyde he delivered his Message to the Sachims, They answered that they would be directed entirely by the other Nations whatever they did they would be satisfied with and do likewise.

From thence he went forward to Onondage and told them the same Message. They advised that a Council of all the six Nations should be called together to consult what was proper to be done ; From thence he went to Cayouge and the Sinnekas Land to invite those Indians to the Meeting at Onondage, and brought with him four of the principal Sachims of each Nation : When they were all met together at Onondage he delivered his Message to the whole Assembly and four days after they gave the following Answer.

They said After they had fought against one another all the last War they at last concluded a peace with their Enemys, and promised each other to keep that Treaty of peace inviolable forever, And they were still resolved to maintain that peace with all those who are in Alliance with them ; They said it was very hard for them to enter into a War. The Indians of the six Nations and the French Indians are sprung of one Blood, They had made Marriages and Alliances with one another, One had his Father, another his Uncle, another his son, another his Brother, and all of them some Relation or other living at Cacknawage, So that they would not go to War against one another. They said it was not so easy for them to go to War as it was for the white people ; The English and the French have each their Masters, Their Kings make War and conclude peace & the subjects must obey, but it was not so with them : They had no King, Every Indian was his own Master So that if they should once enter into War against one another there could be no such thing as making peace again but the War would continue for Ever ; Wherefore the six Nations Concluded that they would not take up the Hatchet with the English, They would have nothing to do with Us in the War against the French and the French Indians as we desired them to do.

Brother Corlaer and Queder—We desire you will not think this makes any breach in the Covenant Chain because we give this Answer. In our former Wars all the Castles of the six Nations have been cut off by the French, Never was any of our Castles destroyed but we applied to Queder for Assistance, but we never got any of your help Except the Mohawks only, We did not think that made any Breach in the Covenant Chain, So We hope that Brother Corlaer & Queder will not think that this makes any Breach in the Covenant Chain, because we do not

enter into the War but that it remains as bright & strong as ever. Hereupon they gave a large Belt of Wampum.

After they gave the above Answer The Interpreter told them, Brothers You seem to be most of you old Men, that are here met in Council. Can you have forgot how the silver Covenant Chain was made between Us and You? I am but young, but I know it very well, When the Silver Covenant Chain was made fast between Us and You, It was agreed upon for a Condition thereof That whoever declared themselves Friends or Enemys of One should be looked upon as Friends or Enemys of the other. When you was at Albany two years ago and spoke with his Excellency our Governour, he then told you of the War, but did not desire you to take up the Hatchet, but only cautioned you to be on your Guard till he gave you Notice. This last Year when you was at Albany his Excellency told you we had sufficient Reason to make War, for the Enemy had killed two of our Brethren in New England, Thereupon he gave you the Hatchet and desired you to make use of it when he gave You Orders, This you all know; and you took it up & promised to be ready whenever he ordered You. What then can be the meaning of your behaving in this manner that you now deny to take it up when you are acquainted how barbarously & cruelly they murdered our people at Saraghtoga? It seems as if you have intended to deceive us all along. You seem to be a double minded & deceitful people, and that you have never declared yourselves plainly till now. What can be your Meaning by this Deceitful Dealing? Will you assist us or will you not?

They Answered they would not.

Then he told them he was much surprized they had so soon forgot the promise they made to our Governour, when they took up the Hatchet in the presence of all the Gentlemen that were sent by the Neighbouring Governments to the Treaty. What do you think They will say, when they hear that you deny to assist us and them? They must certainly think you are a treacherous & deceitful people.

They gave no Answer.

As yet no action had been taken on the bill for the support of government, but on the 2d May its consideration was entered upon, under circumstances calculated to prevent a continuation of that harmony which had thus far prevailed to an unusual degree. On the 30th April, the Committee appointed to correspond with the colonial agent in London, laid before the

House a letter received from him, conveying the intelligence that "the Lords of Trade had reported their opinion upon the bill for ascertaining the fees, &c. That it was proper to be repealed for the reasons set forth in their said report, a copy whereof he sends inclosed." A perusal of the despatch of Governor Morris to their Lordships, dated March 3d, 1744, will have prepared the reader for this result, as well as made him aware of the grounds upon which the bill would be rejected.

The only action taken, when the letter was presented, was to lay it upon the table for the perusal of the members; but it dampened the ardor of the Assembly, so that the support bill remained unacted upon, and the majority were indisposed to legislate farther unless the bills sent to the governor were approved. They therefore, on the 6th May, requested him to inform the House when that assent would be given. To this message he returned for answer, that his ill health had prevented his reading the bills sent him, excepting the one regulating the militia; but added—as if confident that distrust was still entertained by the Assembly—"that former Houses of Assembly had declared they were ready and willing to support the government as usual, provided they could obtain the acts then offered for his assent; and he assured the House that if they would support the government in the usual manner, he would assent to the said bills."

The ensuing day a motion was made to insert the letter of the agent before referred to upon the minutes, but it was lost—only seven members voting for it. The object of this was to indicate the grounds upon which the Assembly hesitated to pass such a bill as the governor desired. Their favorite measure of issu-

ing forty thousand pounds in bills of credit, if approved by him, would still have a suspending clause attached, and afford him an opportunity, as in the case of the fee bill, of defeating it before the Board of Trade. The majority of the House, however, were disposed to make one more effort to secure their object by a message to the governor, declarative of their intentions provided his assent should be given to the bills before him. The condition of the provincial treasury was such as in their estimation did not warrant them, in the then existing state of public affairs, from giving the governor more than five hundred pounds per year for two years—from September 1744 to September 1746—but, they said, “As a grateful acknowledgment to his majesty and his excellency, for the benefits they hope this colony will receive by those bills, they do further assure his excellency that provision will be made in the said bill for support of government, for the payment of one thousand pounds to his excellency, or to his executors or administrators, out of some of the first interest money arising from the act for making current forty thousand pounds in bills of credit, now before his excellency for his assent, *when his majesty's royal assent shall also be obtained thereunto.*”

This message was without effect. The governor would not approve of the bills unless the support bill, framed as he desired, should first be passed; and he very ungraciously told them, “There was too much reason to believe, that from the beginning of this contest, the House never intended to join in the support of the government; but made use of several pretences to avoid the doing of it.” Thereupon the Assembly, with only three negative voices (Messrs. Nevill, Stelle,

and Kearny), resolved that they could not support the government in any other way than that proposed ; and without a division directed the agent's communication to be inserted in the minutes ; showing that, not from any objections to it on points of law, but owing to the representations of Governor Morris, the fee bill had been disallowed. Any accommodation was not now to be expected. On the 8th the House was summoned to Kingsbury, when the governor gave his assent to the bill regulating the militia—the only measure perfected, notwithstanding the fair promises at the commencement of the session—and he probably would have prorogued or dissolved them the ensuing day, but he was taken dangerously ill. He lingered until the 21st, when death closed the scene ; and the government devolved upon JOHN HAMILTON, the eldest councillor.

The following despatches did not reach New Jersey until after the governor's death.

THE DUKE OF NEWCASTLE TO GOVERNOR MORRIS.

Whitehall April 9th 1746.

SIR :—I am commanded to acquaint you that His Majesty has been pleased to order five Battalions of His Troops, under the Command of Lieu' General S' Clair, to go from hence, as soon as possible, with a sufficient Convoy of Men of War, to Louisburg, in order to be employed, together with the Regiment of Major General Frampton, which has been some Time ordered to embark for Louisburg, and with the Two Regiments, sent thither from Gibraltar ; and also with such Troops, as shall be levied, for that purpose, in North America ; for the immediate Reduction of Canada : And I am commanded by His Majesty to signify His Pleasure to you, (as I do to the other Governors of the said Colonies,) that you should forthwith make the necessary Dispositions for raising as many Men, as the Shortness of the Time will permit, within Your Government, to be

employed, in Concert with His Majesty's regular Forces, on this important Service. It is hoped, That Lieu' General S' Clair will be able to sail from hence, with the Troops under His Command, the latter End of April, or the Beginning of May.

It is the King's Intention, that the Troops to be raised, should consist of Companies, of One Hundred Men each; And that those, that shall be raised, in the several Provinces of New York, New Jersies, Pennsylvania, Maryland, and Virginia, should be formed into one Corps, to be commanded by M' Gooch, Lieu' Governor of Virginia, (whom the King has been pleased, on this Occasion, to promote to the Rank of a Brigadier General;) And that They should rendezvous at Albany, within the Province of New York, or at such other Place, as M' Gooch shall think proper to appoint, in order to proceed from thence, by Land, into the Southern Parts of Canada.

The Troops, to be raised in the Provinces of Massachusett's Bay, New Hampshire, Rhode Island, and Connecticut, are to rendezvous at Louisburg, and to proceed, with the Forces sent from hence, under Convoy of His Majesty's Fleet, up the River of S' Lawrence to Quebec.

In Consequence of these Dispositions, His Majesty has ordered me to recommend it to you, in the strongest Manner, to proceed immediately to raise as large a Body of Men, as the Shortness of the Time will permit, within your Government; And you will appoint such Officers, as you shall think proper, to command them; For which purpose, a Number of Blank Commissions will be sent you by the next Conveyance: And you will transmit to M' Gooch a particular Account of what you shall be able to do herein; and you will follow such Directions, as you shall receive from M' Gooch, with regard to the Place of Rendezvous, and every Thing relating to the Proceedings of the said Troops.

You will assure all Those, That shall engage in this Service, as well Officers, as Soldiers, That They will immediately enter into His Majesty's Pay; The Officers, from the Time, They shall engage in His Majesty's Service; and the Soldiers, from the respective Days, on which They shall enlist; and That They shall come in for a share of any Booty to be taken from the Enemy; And be sent back to their respective Habitations, when this Service shall be over, unless any of Them shall desire to settle elsewhere.

As to the Article of Arms, and Clothing, for the Men to be raised, His Majesty has commanded me to recommend it to You, and the other Governors, to take Care, that the Soldiers may be provided with Them; And His Majesty has Authorized, and empowered, Lieu' General S' Clair, to make a reasonable Allowance for defraying that Expence.

You will recommend it to the Council, and Assembly, of New Jersey, to provide a sufficient Quantity of Provisions for the Subsistence of the Troops.

I am ordered by His Majesty to recommend it to You, to make the strictest Enquiry for any Persons That may be acquainted with the Navigation of the River of S^t Lawrence : And if You can find any such, You will engage Them, at any Rate, to serve as Pilots on board His Majesty's Fleet; And You will send Them, as soon as possible, to Louisburg, for that purpose. I am, Sir,

Your most obedient humble Servant

HOLLES NEWCASTLE

Governor of New Jersey.

THE LORDS OF TRADE TO GOVERNOR MORRIS.

Whitehall May 15th 1746

SIR :—Since our Letter to you of the 3^d of July last We have received from you one dated the 22^d of October 1745, as also the several Papers therewith transmitted.

We are Concerned to find that the unhappy Differences between the several Branches of the Legislature of the Province under your Government, which occasion such Delay & Confusion in transacting the Necessary Affairs thereof are so far from subsiding, that they rather seem to increase; We must therefore again Earnestly recommend to you a Continuation of your best Endeavours to quiet the Minds of the People & bring them to a due sense of their Duty and Allegiance.

We cannot but Commend the Zeal the Province has shown in giving £2000, towards the Expedition to Cape Breton, & hope it will appear by the future Behaviour of the Assembly, that the applying of the Money already in the Treasury to this Service, was not done with a Design of Distressing the Government.

We hope long before this Time you have received our Letter of July 3^d 1745, wherein We acquainted you with our having recommended the six Gentlemen you proposed to be of the Council. So We bid you heartily farewell and are

Your very loving Friends & humble Servants

MONSON

J PITT

R PLUMER

B LEVISON GOWER

P S We must desire that you will, for the future, Constantly send us together with the Acts passed in your Government, your Observations thereon, And your Reasons for passing them, as you are directed to do by your Instructions.

MONSON

On the 26th May, the remains of the governor left Trenton, on their way to the family vault at Morrisania. His son Lewis charged himself with the melancholy duty of escorting them to their last resting-place, and a large number of persons manifested their respect by accompanying the mourning cavalcade; the pall-bearers being Andrew Johnston, James Hude, Peter Kemble, Thomas Leonard, Philip French, Daniel Coxe, Philip Kearny and Charles Read. They reached Amboy the same evening, where a small vessel, which had been brought from Morrisania for the purpose, received the body and at once set sail, arriving at Morrisania the next morning. There the last rites were performed by the Rev. Dr. Standard, rector of the parish of Westchester, the following gentlemen acting as pall-bearers:—the Chief Justice, Joseph Murray, Robert Walters, James Alexander, William Smith, David Clarkson, Abraham Depeyster and Lewis Johnston.*

On the 30th November, 1747, Governor Morris's widow addressed a letter to the speaker of the Assembly, requesting that an appropriation might be made to liquidate the claim for arrearages of salary due her husband, as well as for the amount of house-rent which since his death she had been obliged to pay. This

* The Diary of Lewis Morris (quoted in Bolton's *Westchester*, II. p. 311), from which these circumstances are derived, adds, under date of 30th May: "Sent back the chaises to Harlem that we borrowed for the burial. There

was one quarter cask of wine expended at the funeral, to about two dozen bottles, and about two gallons of rum, a barrel of cider and two barrels of beer, &c. &c."

was referred to the Committee of the whole House upon the bill for support of government then pending before the Assembly, and the necessary provisions inserted; but when the bill came before the House, although but little objection was made to the repayment of the sum expended for house-rent, there were only two members (Messrs. Nevill and Kearny) who were willing to make any appropriation for arrears of salary.

Mrs. Morris then made application to the Lords of Trade, and in November, 1748, they instructed Governor Belcher to recommend to the Assembly to make the necessary provision for the payment of these arrears; being assured that the same had been withheld in consequence of the governor's adherence to the directions of the Board. In accordance with these instructions, the governor, on the 5th October, 1749, sent a message to the Assembly drawing their attention to the wishes of his superiors, to which that body responded by the passage, with but one dissenting voice (Dr. Johnston), of the following: "Resolved, That there is not any debt due from this Province for any arrearage of salary to the late Governor Morris;" which was sent to the governor with an address, which is here given in full, as it presents clearly the points of controversy during the administration of Governor Morris, and shows the estimation in which his services were held by the Assembly—who adopted it *nemine contradicente*.

Tuesday, October 17, 1749.

ORDERED, That Mr. *Leaming*, and Mr. *Fisher* do wait on his Excellency and acquaint him, in Answer to his Message of the fifth Instant, that the House were in hopes all Difference between the late Governor MORRIS, and the Assemblies of *New-Jersey*, might have been buried in perpetual Oblivion with the Death of that Gentleman, because his Memory

must be precious to his Family, to whom they are unwilling to give any uneasiness; and nothing short of the publick Welfare could have induced them to rake into the Ashes of the Dead; but as they are oblig'd in Duty to their Constituents and in Discharge of the Trust reposed in them to dissent from what his Excellency has recommended in his said Message, do therefore think it incumbent on them to remark on some Part of the said late Governor's Conduct, from whence they conceive such Dissent both just and reasonable.

The House avoiding to mention many Things that might be urged against the said late Governor's Conduct have contented themselves with only remarking to your Excellency, that soon after the said late Governor's Accession to the Government, he issued Writs for the Choice of a new Assembly, who in their first Session not only gave him a Salary of 1000 *l.* per Annum for Three Years, and 60 *l.* Yearly for hiring a House during the said Term, but also a Present of 500 *l.* and altho' this Provision was much more than any of the neighbouring Governments paid, in Proportion to their Abilities, for Support of their Governors, and double the Sum that had been usually given to his Predecessors in this Colony, yet at the Conclusion of that Session he made them a Speech, and very unthankfully told them, he only took that as an Earnest of what he expected, and Dissolved them. And to compleat his unreasonable Resentment against them, did, in direct contradiction of a Law which himself had signed that very Day, forbid the Treasurers to pay them their Wages, altho' justly due, and for which they had obtained Certificates according to the said Law.

That notwithstanding the Treatment the first Assembly met with was hard and severe, yet the succeeding Assemblies did not retaliate it in its kind, but on the contrary, in order to demonstrate their Duty and firm attachment to the best of KINGS and to cultivate (if possible) a good Agreement with him the said Governor, continued the said Salary and House-Rent from Time to Time until *September 1744.*

That notwithstanding the Assembly's Endeavours for the good Agreement above-mentioned, in the Year 1740 during a long Session of above three Months in the busiest Season of the Year, the two Houses having passed a Number of necessary Bills, some whereof were very long; and in order to further cultivate the said good Agreement, the General Assembly sent Copies thereof to him for his Perusal, but altho' he was not so kind as to point out any of their Defects to the House, yet he obliged the Assembly to continue together until they were all Re-engrossed with broad Margins, &c. in order (as he said) for affixing the Great Seal thereunto, yet after all this unnecessary Trouble and Expence, and Application by that Assembly to him, to put an End to that Session, he ordered

them to adjourn themselves for a fortnight to no Purpose, and at their Return, refused his assent to many of the said Bills, so Re-engrossed, which serves to demonstrate the Disposition he had to perplex the Affairs of the Colony.

That in the Year 1742, after the Council and Assembly had spent six Weeks in preparing and passing Eight good and necessary Bills, he Signed the Bill *for Support of Government*, and laid all the rest aside; and with a long Speech filled with Invectives and Charges against the Assembly, Dissolved them, and all this without any Reason for such Treatment.

That in 1743 Committees of both Houses were appointed who met in a free Conference of which the Chief Justice and Second Judge of the Supream Court were a part, and settled and agreed upon a Bill *for Establishing a Table of Fees*, which afterwards passed both Houses and to which his Excellency with all seeming Freedom gave his Assent, yet to the great surprize of the good People of this Colony, he soon after wrote home to the Lords Commissioners for Trade and Plantations, acquainting them, that the Fees as established by that Bill, were so inconsiderable that no Person of Character or Reputation would Care to accept of Imployments in the Colony; the Consequence whereof proved to be a Repeal of the said Bill, so that through his Means the Colony has remained to this Day, without any Law for Taxing Bills of Cost to the grievous Oppression of great Numbers of Poor People in this Colony.

That in the Year 1744 the Justices of the County of *Hunterdon* did proceed contrary to a known Law of this Province to Chuse a Commissioner of the Loan Office for the said County, in the Room of *Joseph Peace*, Esq, deceased, which illegal Proceedings being complained of to the General Assembly, they took the same into their Consideration, and thereupon addressed the said late Governor for the Removal of those Justices for their Mal-Administration, or to order such other Prosecutions against them as he in his Wisdom should see meet, so that it might effectually deter others from acting so apparently contrary to the express Letter of the Law: But altho' the Conduct of the said Justices was not only Repugnant to a Law which had been confirmed by his Majesty, but also had a direct Tendency to lessen the Credit of the Paper Money, then passing current in this Colony, yet notwithstanding the said Governor was so far from regarding this or the Assembly's Address, that he became an Advocate for the said Justices illegal Proceedings, seeming to be displeased with the Assembly for complaining of them, and in gratification of his Displeasure continued the Justices and Dissolved the Assembly, and some Time after called another, being the Third he had met within less than Ten Months, as appears by their Journals.

Thus did his Excellency exercise the Royal Powers with him intrusted to the great Detriment of the Colony, by his frequent Calling, Proroguing and Dissolving the Assemblies, and often keeping them together Sitting for a long Time to no Manner of Purpose. Thus was the Powers of Government abused, and that of the People being Represented in General Assembly which was Designed by Our Most gracious Sovereign to be the Means of compleating the Happiness of his Subjects in this Colony, and really is one of the greatest temporal Blessings that a free People can enjoy on Earth, was by the Misuse of it become a very great Grievance.

That after his Excellency had detained the Assembly together at *Amboy*, in the Year 1745 nearly two Months, altho' he himself was very often a great Distance from them, sometimes at *Trenton* and sometimes at or near *Brunswick*, by which all Communication between him and them was so much cut off that it was rendered almost Impracticable, except at Times when he thought proper to come to *Amboy* and Prorogue them for a few Days, or otherwise Chastise them, and after all the reasonable Proposals that the Assembly could think of were made, this Session finished without having its desired Effect.

That frequent and long Sitzings, and no Business of any Consequence being done, were then become so very Common, and the Debts of the Colony thereby so highly Increased, that the Assembly easily foresaw the Necessities the Colony would soon be reduced to without great Care.

And His Majesty being at that Time engaged in a War, with *France* and *Spain*, and this Colony having cheerfully given several Thousand Pounds in the *West-India*, and *Cape-Breton* Expeditions, and reason to believe they should soon be called upon by His Majesty for further Assistance against his Enemies, and much talk of the *French* sending a large Fleet to Revenge upon these Colonies the Indignity their Arms had suffered in the Loss of *Cape-Breton*, and this being a defenceless Government without any Manner of Fortification, and liable to be attacked for near 300 Miles, the Assembly would have been greatly wanting in Duty to His Majesty, and his faithful Subjects in this Colony, if they had not Endeavoured to keep the State of the Treasury in as good a Condition as possible.

And Time has sufficiently verified that these Imaginations were but too well Grounded; For altho' kind Providence did not permit the Fleet of our aspiring Enemies to attack us, yet this Colony was called upon by His Majesty to assist in the late intended Expedition against *Canada*, in which Expedition they have actually expended above £. 20,000 including what was lent the Crown for Arming and Cloathing the Forces sent from hence.

These Reasons and many more being sufficiently weighed, the Assembly proposed to the Governor, in the Year 1746, that they would willingly Support the Government, by giving his Excellency *l.* 1000 for two Years immediately out of the Treasury, and also *l.* 1000 out of the first Interest Money which should arise by the new Bills for making 40,000 *l.* provided he would Sign the few Bills which were then passed both Houses, ready for his Assent, as appears by their Message of *May* 7, 1746, and he at that Time was so far from having any Objections to the said Bills, that he returned the following Answer.

— “ So now it plainly appears, that when they might have had all “ the Acts they pretended to desire, and were seemingly so fond of, and “ the Forty Thousand Pound Bill passed with a suspending Clause, they “ refuse to have them upon the Terms they have hitherto asked them. I “ will (as I have assured them) pass the Bills they seem so fond of on “ Condition, they join in Supporting the Government in as large and “ ample a manner as usual, and not otherwise. By this their Constituents “ may see, that they might have had the Forty Thousand Pound they “ desired, if His Majesty would be pleased to approve of it.

By which Your Excellency may observe, the Mistake of that Representation to the Board of Trade, of the Salary's being *withheld meerly on Account of his Adherence to his Duty, and Obedience to the Directions of that Board*, and plainly see, that it was not any Objection he had to the 40,000 *l.* Bill, that actually being offered with a suspending Clause, as all others of the kind offered by the Assembly of *New-Jersey* to him had been, and which he said they might have had on the Terms there proposed.

From whence your Excellency will observe, that he refused to do the Duties of Government, except the Assembly would give him such a Salary as he asked, and in his own Mode and Way, which without resigning their Liberties they could not do.

That from the foregoing Remarks, with his refusing to do the Duties of Government, the House conceive their Dissent from what His Excellency has recommended with respect to the said late Governor MORRIS will appear both just and reasonable; but to put the Matter beyond dispute they beg leave further to remark, that altho' Governor MORRIS in his Life Time did, and his Executors do now insist upon the Payment of what some are pleased to term Arrears; yet the House have his own Opinion in a similar Case to justify their not allowing them. For during the Time that Lord CORNBURY was Governor of this Colony, many Irregularities having crept into the Administration, and the said Governor MORRIS being at that Time one of the most leading Men in the House of Assembly, they thought proper to withhold the said Lord's Salary, for the two last Years

of his being Governor; and notwithstanding great Endeavours were used to obtain it, yet the House do not find, that either he or his Executors were ever allowed one Farthing.

That the House hopes his Excellency will be sufficiently satisfied that nothing can be reasonably Demanded on Account of the said late Governor MORRIS's pretended Arrears, it being a Subject so universally disliked in this Colony, that there is none, except those who are immediately concerned in point of Interest, or particularly influenced by those who are, will say one Word in its Favour.

That it is altogether unlikely any Assembly in this Colony will ever look upon that to be a just Debt, or apply any Money for the Discharge thereof and that they cannot conceive the further Recommendation of it will be of any Advantage to the said Executors.*

* James Alexander thus wrote to Robert Hunter Morris, under date of November 28th, 1749:

SIR:—I have no copy of the Assembly's Answer to the Governor's Message, concerning the arrears due for your father's Salary as Governor of New Jersey, but from the memory I have of the reading of it I think the thing of most weight against your father seems to be his messages of May 6th and 7th to the Assembly; concerning which I think it my duty to say my knowledge and belief in that matter as I was at Trenton at that time, which is, that if he was wrong in these condescensions I am well assured that very little of the blame ought to lye at his door; for from the two riots then lately committed at Newark—the go-by that the Assembly gave October 3^d 1747 to your father's message of Sept. 28th 1747 concerning the first riot, it seemed visible that a scene of rioting would continue in the province unless the Assembly consented to interpose: there was near one half of that Assembly that seemed inclinable to interpose & support Government as usual & they made no doubt but a majority could be had if his Excellency your father

would promise to give his assent to the Acts then proposed of which the £40,000 bill was the chief one. I for my part, and I believe all your father's friends then at Trenton, were of the same opinion in confidence that the Council must approve all the Acts which the Assembly proposed—and heartily wished your father would make such promise, and used all opportunities & arguments to bring his family and him into it, not doubting the effect we were given to hope for.

If we in health were deceived by those flattering hopes, how much more was he excusable who had been for months on his death bed & in a few days after expired, when importuned continually by his wife and children and all his friends that visited him.

If it was an error in him I think those circumstances render it very excusable, & had he not sent these messages, the continuance of the riots & the loss of his salary to his family, I am confident, would have been laid at his door by all his family & friends, which I believe was one of the many arguments he was daily importuned with to bring him into those messages.

I am, Dear Sir, Your most obed^t & most humble servant.

APPENDIX.

THE following notices of documents in Stevens's Index to the New Jersey Colonial Documents, give some additional information respecting the relations between Colonel Morris and Lord Cornbury, not in the possession of the writer when the Introductory Memoir was prepared. They refer to matters on pages 12, 13 and 14.

February 19th, 1704-5. Lord Cornbury, in a despatch to the Board of Trade, remarks upon—the intrigues of Mr. Morris—his conduct to the governor—he is suspended from sitting in the Council—Dr. Ennis, of the Church of England, intercedes for him—he offers an apology, and is restored to the Council—Mr. Morris opposes the passing of the Revenue Act—is suspended from the Council a second time—Lord Cornbury hopes the queen will dismiss Mr. M. from the Council, he being devoted to the Proprietors' and not the Crown's interest—the subject of the controversy between them stated.

September 1st, 1705. Sir Thomas Lane and a number of proprietors of West Jersey present a memorial in which they ask for the restoration of Colonel Morris to the Council.

February 4th, 1705-6. The Board of Trade recommend to Lord Cornbury that he restore Mr. Morris to the Council on due submission.

November 10th, 1706. Lord Cornbury informs the Board that Mr. Morris will be readmitted to the Council upon his submission.

June 7th, 1707. Lord Cornbury writes to the Board that Colonel Morris had never made his submission—refers to his conduct in the Assembly, and to his being supported by Samuel Jennings; and under dates of June 28th and November 29th refers further to their proceedings.

February 9th, 1707-8. Colonel Morris writes to the secretary of state, transmitting, by order of the Assembly of New Jersey, several papers proving the misconduct of Lord Cornbury in the government of

New Jersey—political state of New Jersey on his arrival—his conduct—the distress of the people—Colonel Caleb Heathcote would be a man to the general satisfaction for the government of New Jersey—Lord Cornbury dresses himself daily in woman's clothes—S. P. O. Amer. and W. Indies, Vol. VI. Original. 32 folios.

March, 1708-9. Address of Mr. Lewis Morris to Lord Lovelace, with the verses made upon his addressing his Lordship alone—beginning thus :

As Kings at their meals sett alone at a Table,
Not deigning to eat with the Lords of the Rabble,
So the great Lewis Morris presents an Address
By himself, all alone, not one else of the Mess.

This was inclosed in a memorial of William Dockwra's, presented in October, which contains several matters for the consideration of the Board of Trade.

NOTE FOR PAGES 201 AND 214.

It is stated on these pages that there were only three changes made in the Assembly of 1744. This will be found erroneous, as on comparing the list of members with that of the previous Assembly, it will be seen that new members were returned from Cape May county, and one also from Salem. This correction, however, does not affect what is said of the relative strength of parties.

ORIGIN OF THE ARMS AND MOTTO OF THE FAMILY.

Lewis Morris, who came to America from Barbadoes, was second in command of Cromwell's troops at the attack upon Chepstow castle. After an obstinate resistance, the garrison was reduced by cutting off the supply of water, which ran through the estate of Pearefield, then owned by John Walters, a son-in-law of Morris, and setting fire to the castle. From this circumstance the family assumed as their crest a castle in flames, with the motto "*tandem vincitur*"—*at length he is conquered*. [Bolton's Westchester.] The representation given in the plate facing the title, is of the seal used by Governor Morris, which did not bear the motto.

GOVERNOR MORRIS'S WILL.

IN THE NAME OF GOD AMEN: God's will be done; but what I will or desire should be done after my decease, and how I would have what estate God has been pleased to bless me with, disposed of, is contained in what follows: But before I give any directions concerning the disposition of my body or estate, I think it my duty to leave the following testimonial of my sense of the goodness of God to me, in protecting and wonderfully preserving of me, from my infancy to this present time, now in an advanced age. My mother died when I was about six months old, and my father not long after, in New-York, where I was left an orphan, entirely in the hands of strangers who were appointed by the government to take care of me. Sometime after that, the Dutch took the place and I was put by their magistrates into the hands of trustees, by them appointed, to take care of me and of what effects their soldiers had left unplundered; and after the surrender of New-York to the English, my uncle came into these parts of America, and kindly took care of me until I came to man's estate; and he then dying, what he had fell into my hands, being his sole and only heir. He had made a will, in which were found several material interlinations and erasures; which will, when exhibited before the Governor and Council of New-York to be proved, of six subscribing witnesses to the said will, only two of them could make oath in due form of law; and they knew nothing of those erasures and interlinations; and one William Bickley, a Quaker, who wrote the will, said, that he wrote the will, and made them; but knew not why they were made. My uncle by that will having bequeathed his plantation over-against the town of Haerlem, to his wife; but for what estate, did not appear; the words being scratched or erased out so as not to be read, and instead of what was so erased, there was after the words, Mary Morris (which was the name of his widow), these words, viz., (*her heires and assignes forever, the lands thereof*) interlined. The widow died about a week after her husband (the will having been in her and Bickley's keeping all that time), and after, or about the time of her death, I was told of this erasure by Miles Forster, one of the executors in the will named. This will was dated the 12th of February, 1690, but a little before my uncle's death, and exhibited for proof the 15th of May following, at which time the erasure, and reason for making of it, must have been fresh in the memory of the writer, who declared he knew of it; and must have been fresh in the memory of the witnesses, had any such thing been shown unto them.

That Bickley should know of, and make this erasure and interlineation, and not know or remember the reason of making it in so short a time after it was done, appeared strange to all present; and most were of opinion, that the words erased out, were of different import from those interlined, or there had been no necessity for making the erasure and interlineation; but as the writer of the will either could not, or would not tell for what end they were made, though it appeared to be done with intent to vest an estate in fee simple in the widow, which it is probable the words erased did not do; and only two witnesses being able to make oath in due form, and these not knowing any thing concerning it; administration was committed to me, with the testament annexed; and I have since purchased releases from the heirs and legatees of the widow, and have been in quiet possession above fifty-three years. Thus, by the sole goodness of Almighty God, my benign Creator, the designs against me were rendered ineffectual, without any contrivance or act of my own. Whether my uncle was persuaded, or really intended to give that estate to his wife and her heirs; or whether he had given it to her for life, and so intended, and the words interlined were done after his death; or if he did intend to give it her in fee, and the writer had not made use of proper words for that purpose (though he had done it in every other case where an estate was given to me in fee) and discovered it to my uncle, and made the alteration during his life, and by his consent; or discovered them after his death, and then made the erasure and interlineation; is what I know nothing of, and what the writer of the will either could not or would not say any thing about; but it is evident on the face of the will, that every bequest to me, either of lands or chattels, even of my mother's jewels, and what in the will was mentioned to belong to her, and did only belong to me, was given (as the writer of the will called it) with restriction and limitation (meaning as I suppose with this condition) that I should submit myself wholly and absolutely to every thing contained in that will; and it was therein determined, that if I, or any body claiming under me, should under pretence of right from my father, whether by partnership with my uncle or otherwise, make any claim or demand of the estate left by my uncle, or any part of it, that in such case the bequests to me were to be void. The drawer of that will had purchased and read (with all the judgment he had) a book, entitled Orphan's Legacy, in order to qualify him for that performance; and so apprehensive was the contriver or contrivers of that will of my making such claim, and that the law might determine in my favour; that by a clause in that will it was directed, that if any doubt or controversy should arise, by reason of imperfection, defect, or any other cause whatsoever, of, or in any

words, clauses and sentences in his last will and testament, or about the true intent and meaning thereof; that in such case, his executors, or any three of them, should expound, explain, interpret, and finally decide the same, according to their wisdoms and discretions. There had been articles of agreement and partnership entered into between my uncle and my father, and executed by both the parties; in which amongst other things, it was covenanted and agreed between them, that if either of them died without issue, the survivor, or issue of the survivor (if any) should take the estate. Upon the death of my father, that part of the agreement executed by my uncle, with other my father's papers, came into the hands of my uncle, and upon his death into Bickley's (as I suppose), who kept the keys of his scruitore: That part of the agreement executed by my father, I had seen often, and it came into my hands; but that part executed by my uncle, was made away with; who destroyed it, I can't say; but believe my uncle was too just a man to do any thing of that nature. It appears from all this, that there was a design made to deprive me of the greatest part of the estate my uncle died possessed of, and that this design was defeated. That this might be accounted for from natural and obvious causes, such as the erasure of the will, and the like, may be; but what confounded the understanding of the writer so as to make the erasure in that particular place, and in the manner he did, and to pretend not to be able in so short a time after it was done, to give any account why it was done, I attribute only to the over-ruling providence of the Almighty, who has wonderfully protected and preserved me hitherto; and I doubt not will continue his goodness to me till he thinks fit to call me hence, though I am unworthy of the least of his favours. I now proceed to directions concerning the disposal of my body and estate; and first, I will, that my body shall be buried by the bodies of my uncle and my children that lie at Morrisania, if it can be conveniently done. I would be buried in a plain coffin of black walnut, cedar, or mahogany, without covering or lining with cloth, or any other material of linnen, woollen, or silk; my age and the time of my death may be put upon it in such manner as my executors shall think fit: I forbid any rings or scarfs to be given at my funeral, or any man to be paid for preaching a funeral sermon over me: Those who survive me, will commend or blame my conduct in life as they think fit, and I am not for paying of any man for doing of either; but if any man, whether Churchman or Dissenter, in or not in priest's orders, is inclined to say any thing on that occasion, he may, if my executors think fit to admit him to do it. I would not have any mourning worn for me by any of my descendants; for I shall die in a good old age and when the Divine Providence calls me hence; I die

when I should die, and no relation of mine ought to mourn because I do so; but may perhaps mourn to pay the shop keeper for his goods, should they comply with (what I think) the common folly of such an expence. I will (if it be not done before my death), that a vault of stone be built at or nigh the place at Morrisania, where my good uncle lies buried; and that the remains of my relations lying there, be collected and put into coffins in it; and my executors may get a tomb stone for me if they think fit. I am now, and I doubt not I shall die, in the firme belief that there is one God, the Creator of all things, who governs the world, as he sees most suitable, to answer the purposes of his divine providence. What the state of the dead is I know not, but believe it to be such as is most suitable for them, and that their condition and state of existence after death will be such as will fully show the wisdom, justice, and goodness of their great Creator to them. As to what estate it has pleased God to intrust and bless me with, I will and dispose of it as follows:

First. I will as the law wills, that all my debts and funeral charges be justly paid and discharged as soon as may be done.

Item. I give and bequeath all that part of the mannour of Morrisania that lies to the Eastward of the Mill brook and Mill creek, and is now in the possession and occupation of my eldest son Lewis Morris, unto my said eldest son Lewis Morris, his heirs and assigns forever.

Item. All the other part of the mannour of Morrisania that lies to the Westward of the said Mill brook and Creek, and now called by the name of Old Morrisania, together with all the negroes now upon it or that belongs to it, and have been bound out for a term of years either by myself, or any of my children for my use, together with all the cattle, hogs, sheep, stock, tools and utensils of husbandry now upon and belonging to the said land, I give and bequeath to my good and deservedly well beloved wife Isabella Morris for and during her natural life. I will that my said wife shall have the disposal of the one fourth part of all my negroes, cattle, sheep, hogs, beds, linnen, plate, now belonging to me at Morrisania or at Kingsbury in New Jersey to such of my children as she shall think it, either by her last will or during her life, as she shall judge best. I will that my said wife shall have the use of all my plate and household stuff during her natural life; and the remaining three fourths, after her death, I give and bequeath to my two sons Lewis Morris and Robert Hunter Morris, to be equally divided between them.

I will that what money, paper currency and bonds I die possessed of shall be divided into three equal parts; one of which parts I give and bequeath to my said wife, to dispose of as she shall think proper; one other third part to my son Lewis Morris, and the other third part to my son Robert Hunter Morris, I hereby give and bequeath.

I will that Mrs. Margaret Graham, my wife's sister, have her diet, washing and lodging on that part of my mannour of Morrisania hereby given to my wife, during her life.

I will that my daughter Margaret Morris have her diet, washing and lodging on my estate at Morrisania aforesaid until she marries, and twenty pounds current money of New York yearly until she marries; and being now unmarried, in case she marries after my decease, I will that my executors pay unto her the sum of one hundred and fifty pounds money of New York for her outset. This outset is on condition that she marries by and with the consent of her mother, if she be alive.

I give and bequeath unto my said daughter Margaret Morris and to her heirs and assigns forever, seven hundred acres of my land in the Mohawks country, adjoining unto a place known by the name of Antonies Nose, and bounded on the Northward by the Mohawks river. I will that the said seven hundred acres of land be surveyed to her in one tract or parcel out of my lands there, and bounded on the Mohawks river to the Northward, and by the Eastern and Western bounds of the said tract, and Southerly by the remaining part of the said tract, and to contain within it the lowlands adjoining to the Mohawks river. I except out of this bequest, all the mines and minerals contained in this seven hundred acres of land, as well discovered as not, which I do not intend shall be given my daughter by this bequest.

I give and bequeath the residue and remainder of all my said lands in the Mohawks country, together with all my share in the mines and minerals in the said residue, and in all that tract of land surveyed, purchased and patented by me to James Alexander, Hermanus Vedder, John Collins, Abraham Vanhorne, Cadwallader Colden and myself, in one tract (of which the said residue hereby bequeathed is a part), to my two sons Lewis and Robert Hunter Morris and to their heirs and assigns forever, at tenants in common.

In case my daughter Mary Pearse comes into this country, it is my will that she have her diet, washing and lodging at Morrisania if she thinks fit to be there; and if, through some defect in the conveyances or otherwise, those lands formerly given by me to her husband for a marriage portion, and since conveyed by his attorney to some persons by his order to her use, should not come to her use, and the conveyances prove ineffectual for that purpose, then and in such case it is my will that she have her diet, washing and lodging at Morrisania or Tinton in Jersey, which she will choose, during the state of separation from her husband, and ten pounds current money of New York paid her yearly out of my estate at Morrisania, and ten pounds like money yearly out of my estate

at Tinton in New Jersey, during such separation; and in case of her husband's death (no effectual provision being made, either by these lands reconveyed or otherwise, sufficient for her support), then it is my will that she have the diet and lodging and the ten pounds yearly as above mentioned, continued to her during her widowhood.

I give and bequeath (after the death of my wife) all my lands at Morrisania hereby given to my wife during her natural life to my son Lewis Morris during his natural life; with power to dispose of the same by his last will and testament to which of his sons he shall think fit, either for life, years or in fee, as he shall judge most proper.

I give and bequeath to my son Robert Hunter Morris all my negroes, cattle and all other my personal estate now at Tinton in the county of Monmouth in New Jersey not herein otherwise disposed of. I did thro' mistake omit to mention the name of my son Robert Hunter Morris in my last bequest on the other side of this leafe and interlined it, and therefore do here repeat it, viz.: that I give and bequeath to my son Robert Hunter Morris, all my negroes, cattle and all other my personal estate now at Tinton in the county of Monmouth in New Jersey not herein otherwise disposed of, I give and bequeath to my said son Robert Hunter Morris and to his heirs and assigns forever, all my mannour of Tinton, and all the lands, mines, minerals and water-courses thereof, and all mines, minerals and lands, belonging unto me in the Eastern and Western division of New Jersie, and all privileges and liberties for fishing, carting or otherwise reserved to my uncle on sale of the lands at Passage Point in Shrewsbury, now in the tenure and occupation of Richard Saltar; and all lands, rights, privileges, liberties, mines, and minerals granted to my uncle Lewis Morris by patent from S^r George Carteret or his Governour of New Jersey, or by the Proprietors of New Jersey or any of their Governours afterwards; and all my lands in Salem county in New Jersey purchased by my father and afterwards conveyed to my uncle by John Fenwick, Esq^r, and all papers, parchments, patents, deeds, escripts, miniments relating to the premises above mentioned or any part thereof herein given and bequeathed to my son Robert Hunter Morris, his heirs and assigns forever.

I will and appoint that all my lands in that part of New York Province Known formerly by the name of Evands Patent be sold by my executors or survivors or survivor of them, and applied towards payment of my debts and legacies as they or the survivors or survivor of them shall think proper to apply the money arising by such sale to the purpose aforesaid.

I give and bequeath to my son Lewis Morris all my bookes and manu-

scripts not herein otherwise disposed of, to be carefully Kept by him, and to descend as an heir loom, which I hope may be with care increased; but my will is that my son Robert may have the use of the law books while he continues Chief Justice of this province of New Jersey, and after that to be returned to my son Lewis or his heir. I will that an exact catalogue be made of them and their editions, and I forbid any of them to be lent on any account whatsoever, unless to my wife during her widowhood, who may from time to time have the use of such of them as she thinks proper, returning them again.

Lastly. I name and appoint my good and loving and deservedly well beloved wife Isabella Morris, and my two sons Lewis Morris and Robert Hunter Morris, and the survivors and survivor of them, to be the executors and executor of this my last will and testament, hereby revoking and making null and void all former last wills and testaments or codicils by me made. And I recommend it to my sons and children to be kind, tender and affectionate to their mother, she having been always so to them, and not to suffer the infirmities of old age to abate the respect and regard they ought to pay to her. I heartily recommend to them a love and affection to each other, and that they will avoid, as much as may be done, all occasions of difference and distrust amongst themselves. And I humbly pray that the good God may always protect, direct and influence them to act as becomes them.

LEWIS MORRIS. [L. s.]

Signed, sealed and published by Lewis Morris as his last will and testament, and the whole will being wrote, as the said Morris declared, in his own handwriting. Published in presence of us,

P. KEARNY.
D. MARTIN.
RALPH SMITH.
WM. YARD, Jr.

Proved in the usual form. Jan^y 12, 1746.

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